

Institution: University of Manchester		
Unit of Assessment: 18 (Law)		
Title of case study: Influencing Labour Standards and Stakeholder Action Through International, European and National Law and Policy		
Period when the underpinning research was undertaken: 2011- 2020		
Details of staff conducting the underpinning research from the submitting unit:		
Name:	Role(s) (e.g. job title):	Period(s) employed by submitting HEI:
Aristea Koukiadaki	Senior Lecturer	2014-present, Department of Law 2011-2014, Alliance Manchester Business School
Period when the claimed impact occurred: August 2013 – December 2020		
Is this case study continued from a case study submitted in 2014? N		
Section B		
1. Summary of the impact		
<p>Koukiadaki has a sustained record of collaboration, on her own and in conjunction with the Work and Equalities Institute (WEI) of the University of Manchester, with major labour policy actors. Her research on the role of legal mechanisms in promoting inclusive labour standards has influenced the guidance and action of international policy bodies (the International Labour Organisation (ILO), the European Parliament, the Council of Europe, the ILO/OECD/UN new Global Deal); shaped national policy, including policy pertaining to the extension of collective agreements and the amendment of legislation on collective dismissals in Greece; and provided evidence-based arguments used by the European Trade Union Confederation (ETUC) and national trade unions (COSATU in S. Africa) as well as national governments (Greece) in their interactions with supranational and national labour policy stakeholders.</p>		
2. Underpinning research		
<p>Koukiadaki's research has generated important, evidence-based support for legal mechanisms that promote more inclusive, gender-equal and effective labour standards. Her research has challenged a common policy view that protective labour regulation creates labour market divisions and inequality and has provided underpinning support for international and domestic policies that are attentive to the complementarity between statutory labour standards and joint regulation by employers and employees. Her research has addressed collective dismissals, collective bargaining/social dialogue, gender pay equality and precarious work. [Text removed for publication]</p>		
<p>Labour standards during austerity: Research led by Koukiadaki [1] provided for the first time a comprehensive assessment of the austerity-driven reforms of labour law in Greece, identifying in concrete terms the implications for the state, employers and employees. Drawing on this work, Koukiadaki then co-authored a comparative ILO report, as part of its technical assistance programme to Greece, in respect of collective dismissals [2]. The report assessed the compatibility of the then existing legal framework in Greece with EU and international labour standards and identified good practices from other systems (e.g. social plans pertaining to collective dismissals) that could be integrated in the Greek regulatory framework.</p>		
<p>Collective bargaining and social dialogue: Drawing on insights from her work on austerity-driven reforms, Koukiadaki led an EU-funded research project (as PI) on collective bargaining. The project examined the impact of austerity reforms on collective bargaining</p>		

in 7 EU Member States (2014-16). The work revealed both negative impacts on the economy and the workforce in those countries that moved away from protective labour regulation and social dialogue, and more positive effects in countries where inclusivity, through support for multi-level bargaining, was retained or strengthened [3]. A subsequent ILO-commissioned project examined the links between social dialogue and economic performance synthesized evidence pertaining to the economic and social benefits of social dialogue and called for a more coordinated system of collective bargaining supported by legal extensions and action by social partners and states [4].

Gender Pay Gap: The ILO-commissioned report on closing the gender pay gap [5] developed a new conceptual framework. It argued that developing more inclusive, egalitarian and transparent labour markets is an essential prerequisite for the effectiveness of policies intended to close the gender pay gap. Koukiadaki's contribution highlighted the role of legal rights and their interplay with voluntary measures established by employers, in addition to joint regulation through collective bargaining and social dialogue.

Precarious Work: Building partly on insights from her previous work [5], Koukiadaki led a report on precarious work and EU law [6]. The report argued that a reduction of precarious work in Europe is more likely to be achieved in societies that uphold more inclusive, equal and effective labour standards and made a set of specific recommendations for the development of EU and national public policies, highlighting the case of atypical work patterns (e.g. zero-hours contracts).

3. References to the research

- [1] **Koukiadaki, A.** and Kretsos, L. (2012) "Opening Pandora's box: The sovereign debt crisis and labour market regulation in Greece", *Industrial Law Journal* 41 (3): 276-304. [Externally Peer reviewed]. <https://doi.org/10.1093/indlaw/dws031>
- [2] Countouris, N, Deakin, S, Freedland, M, **Koukiadaki, A** and Prassl, J (2017) [*Report on Collective Dismissals: A comparative and contextual analysis of the law on collective redundancies in 13 European countries*](#). International Labour Organization, Geneva. [Internal Peer-reviewed].
- [3] **Koukiadaki, A.** Tavora, I. and Martinez-Lucio, M. (2016) "Continuity and Change in Joint Regulation in Europe: Structural Reforms and Collective Bargaining in Manufacturing", *European Journal of Industrial Relations*, 22(3): 189-203. [Externally peer-reviewed]. <https://doi.org/10.1177%2F0959680116643204>
- [4] Grimshaw, D. **Koukiadaki, A.** and Tavora, I. (2017) [*Social Dialogue and Economic Performance: What Matters for Business - A review*](#). CONDITIONS OF WORK AND EMPLOYMENT SERIES, vol. 89 Geneva: International Labour Office. [Internally Peer-Reviewed].
- [5] Rubery, J. and **Koukiadaki, A.** (2016) [*Closing the Gender Pay Gap: A Review of the Issues, Policy Mechanisms and International Evidence*](#), Geneva: ILO. [Internally Peer-Reviewed].
- [6] **Koukiadaki, A.** and Katsaroumpas, I. (2017) [*Temporary Contracts, Precarious Employment, Employees' Fundamental Rights and EU Employment Law*](#), Committee on Petitions, European Parliament. [Internally Peer-Reviewed].

4. Details of the impact

(i) Contribution to the development of international labour policy

The ILO, an integral part of the UN system, serves the needs of 187 member countries. The organisation has responsibility for setting international labour standards and shaping international debates and practices pertaining to employment.

Koukiadaki's research reports for the ILO have engendered a series of impacts. Her work for the social dialogue report [4] formed the basis for a thematic brief for the Global Deal on the Business Case for Social Dialogue, which was presented to the ILO, the Organisation for Economic Co-operation and Development (OECD) and United Nations (UN) General Assembly in September 2017. The World Economic Forum informed the Global Deal in a letter addressed to the ILO, as co-host of the initiative, that this was their most successful event at the UNGA (the video of the event had been watched more than 500,000 times) [A]. The reach and significance of the Global Deal has been acknowledged by the ILO as *"concrete, genuinely international and highly visible. This success has been underpinned by the academic research and analysis of the social dialogue to which the WEI researchers made a far-reaching and significant contribution"* [A]. Its success is demonstrated by the fact that 100 parties (including 21 Governments, 41 corporations, 30 trade unions and 17 related actors, including Oxfam) have become signatories and made 99 specific commitments to effect change.

Koukiadaki's and Rubery's report on closing the gender pay gap [5] has been used extensively by the ILO in its flagship publications, including *How to Make a Quantum Leap for Gender Equality* (ILO 2019), in which it provided the basis for policy proposals for action around minimum wages and paid family and care leave. It has also *"informed country level reports, for example, the recent India Wage Report (ILO 2018) produced by the ILO's India office in conjunction with the ILO Geneva office"* [B].

Overall, the research to which Koukiadaki contributed has been acknowledged by the ILO as constituting *"a very substantial, significant and sustained contribution to the understanding of how legal and collective measures promote decent work and inclusive labour markets. These issues are at the core of the work of the ILO, and the [...] contribution has supported our efforts both in our global role in promoting labour standards and complementary employment policies and our specific work at the member state and region level in translating these policies into specific recommendations and policy advice"* [B].

(ii) Contribution to the development of European policy and stakeholder action

In light of her work on collective bargaining [3], Dr Koukiadaki provided expert evidence to the Council of Europe Committee on Social Affairs, Health and Sustainable Development in September 2016. Her recommendations in favour of policy responses supporting collective bargaining and industrial action in the European Social Model were endorsed in the draft resolution put forward by the Rapporteur in December 2016 [C (Section 5)]. In January 2017, the Parliamentary Assembly of the Council of Europe passed Resolution 2146 (2017), *Reinforcing Social Dialogue as an Instrument for Stability and Decreasing Social and Economic Inequalities* and echoed Dr Koukiadaki's recommendations that there be an affirmation of the role of collective bargaining. The Resolution has been cited in the case law of the European Court of Human Rights as forming part of the relevant international law against which Art 11 of the Convention is interpreted (see, e.g. *Ognevenko v. Russia* (Application no. 44873/09)). It also forms part of the Council of Europe's contribution to Goal 8 (promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all) of the UN's 2030 Agenda for Sustainable Development and was cited in the Council of Europe Resolution 2158 (2017) on income inequality.

Koukiadaki was also commissioned in 2018 by the Committee on Petitions (PETI) of the European Parliament to coordinate and produce a report on precarious work [6]. She presented the report in a session of the PETI Committee attended by 100 stakeholders, including MEPs, petitioners and trade unions. [Text removed for publication] The Resolution was adopted by the European Parliament in May 2018, citing Koukiadaki's report as one of its sources [E]. [Text removed for publication]

Koukiadaki was commissioned in 2013 to provide legal advice to the ETUC concerning litigation against austerity measures [F]. The ETUC represents some 45 million workers and 90 trade unions. Koukiadaki identified that the route of direct action for trade unions before the Court of Justice of the European Union (CJEU) was limited and advised that it would be more productive for national trade unions to submit preliminary questions [F]. [Text removed for publication]

(iii) Contributions to domestic law and policy reform and stakeholder action

Greece: Dr Koukiadaki's research ([1] [2] [3]) has led to important changes to Greek labour law. Her ILO-commissioned research [2], completed as part of the ILO's technical assistance programme to Greece, confirmed the compatibility of Greek legislation with International and European labour standards and identified good practices (e.g. social plans) that could be integrated in Greek legislation. The report findings "*assisted the ILO in identifying regulatory options for possible reforms in collective dismissals*" [A]. The then Minister of Labour, Social Security and Social Solidarity (2016-2019) also acknowledged that the research provided "*critical support in [the Greek Government's] efforts to highlight the compatibility of domestic legislation on collective dismissals with European and International Legal Norms*" and confirmed that "*the Greek Government relied directly on Dr Koukiadaki's recommendations in adopting new legislation [Law 4472/2017] to require the establishment of social plans*" [I].

Secondly, Dr Koukiadaki's ILO-commissioned report [H] outlined the negative impacts that had resulted from a series of deregulatory reforms on collective bargaining and recommended the re-introduction of extension mechanisms for collective agreements and of the principle of favourability, both of which had been suspended in 2011. As stated by the Former Minister of Labour, Social Security and Social Solidarity: "*The report by the authors fed directly in our decision to re-instate the extension mechanisms for collective agreements and we also took the research into account when we re-instated the principle of favourability in 2018 (Ministry of Labour, Social Security and Solidarity Circular 32921/2175/13-6-2018)...As a direct result of these regulatory changes... there was an immediate take-up of national occupational and sectoral collective agreements, from 15 in 2017 to 22 in 2018, and local occupational ones (from 6 in 2017 to 9 in 2018), providing increased protection for workers covered under these agreements* [I].

South Africa: From 2013 the Congress of South African Trade Unions (COSATU) led a campaign to introduce a national minimum wage, which was finally implemented in 2019. A key leader of that campaign attests that that the ILO report on the gender pay gap [5] fed directly into the success of the COSATU campaign [J]. The report helped trade union associated actors to make the case that a national minimum wage could complement rather than substitute for collective bargaining and contribute to gender pay equality, and its impact is made clear in the National Minimum Wage Panel's Report to the Deputy President in 2016 [J].

5. Sources to corroborate the impact (indicative maximum of ten references)

[A] Testimonial from International Labour Organization on industrial relations, 18.2.20

[B] Testimonial from International Labour Organization on gender equality, 20.1.20

[C] Reinforcing social dialogue as an instrument for stability and decreasing social and economic inequalities, Committee on Social Affairs, Health and Sustainable Development, Doc. 14216, 13 December 2016

[D] **[Text removed for publication]**

[E] European Parliament resolution of 31 May 2018 on Responding to petitions on tackling precariousness and the abusive use of fixed-term contracts (2018/2600(RSP))

[F] Koukiadaki, A. Can the Austerity Measures be challenged in Supranational Courts? The cases of Greece and Portugal (Brussels: ETUC, 2014).

[G] **[Text removed for publication]**

[H] Koukiadaki, A. and Grimshaw, D. Evaluating the Effects of the Structural Labour Market Reforms on Collective Bargaining in Greece (ILO, 2016)

[I] Testimonial from Greek Government (former Minister of Labour)

[J] Testimonial from Congress of South African Trade Unions on S. African National Minimum Wage, 19.11.19