

# Spanish Unions and Democratic Engagement

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**SUMMARY: 1. Introduction. 2. Syndicalism in (the) crisis. 2.1. Labour reforms, decent work crisis and breakdown of social dialogue. 2.2. Consequences of the anti-unionist labour reforms. 3. Challenges that confederal unionism has still to face. 4. Proposals for reflection.**

## 1. Introduction

The economic, cultural, social and politic crisis that has spread across Europe in the last decades has showed its darkest side in the last three years, stripping social majorities from their most basic social rights. Before 2008, this dark side of the European social model had mainly affected migrant workers. However, it now affects the vast majority of European citizens, while still having greater influence in the so-called peripheral countries.

The controversy between capital and work during the crisis is apparently being solved by a strong state interventionism that insists on the idea that economic growth by itself will allow greater individual social welfare. This is why, and particularly in the case of Spain, we are witnessing a gradual breakdown of the social welfare state while favouring and strengthening mechanisms for obtaining corporate profit and economic growth which, according to policy-makers, will ultimately lead to a society whose welfare will be fuelled by private initiatives.

In the Spanish context, factors like the increasing income inequality, job and life insecurity, unemployment, poverty and exclusion<sup>2</sup>, as well as the rise of cronyism and corruption, have practically become part of the governance structure<sup>3</sup> itself and are generating social frustration and democratic dissatisfaction<sup>4</sup>. All this has led to a permanent state of outrage among the population, which is generating since 2011, and

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<sup>2</sup> The Labour Force Survey declares that there are 5,444, 000 people unemployed and that this figure has increased in the first trimester of 2015. Being as it is almost a quarter of the Spanish workforce, this means that the unemployment rate in the first trimester of 2015 has been 23.8% (against an average 11.2% in the Eurozone). This figure was more or less constant throughout 2014, having reached 26.9% in the first trimester of 2013 (it stayed near to 26% throughout that year) and therefore poses a severe and problematic unemployment crisis. Youth unemployment is over 51%. The employment incentive measures don't cause the corporate revival that was promised and the slight increase in the employment rate in 2014, presented to the public as a victory, does not correspond to reality. The minimum wage in 2014 (as was in 2013) was 645.3 euros, although the average income per person was only 9,321 euros in 2014, meaning a decrease by more than one point compared to the previous situation. This year, the risk of poverty rate is 21.1% resident population, and it has grown among those between the ages 16 and 65 (working age population).

<sup>3</sup> In 2014, corruption and fraud became the second most important problems that affect citizens, placed above economic issues and behind unemployment (according to the Spanish Centre for Sociology Research or CIS, 2014)

<sup>4</sup> According to the CIS statistics, in 2014, 81.1% of Spaniards thought that the political situation in Spain was bad or very bad. Only 2% of the population described it as good. These would be the most severe estimations in history, as they are even worse than the results from 1982, when only 5% of people described the political situation as good or very good and 37% thought it was bad. The statistical series clearly shows that it was after 2010 when valuations started to polarise, consistently exceeding 70% in negative votes and staying under 15% in positive votes.

particularly since the emergence of the 15M Movement (a Spanish social movement), a general rejection towards everything institutional. This rejection has, in turn, caused a representation crisis in 'traditional' political and union organizations, despite the work they have done<sup>5</sup>.

In this social context and in light of the aforementioned wage labour crisis and all the labour reforms that favour job insecurity<sup>6</sup>, to discuss unionism, collective representation and defending working-class citizens' rights, involves brave political and intellectual thought<sup>7</sup>.

For this reason, it is essential that we consider the great variety of visions and perceptions on unionism, basing our opinion on two particularly relevant and closely connected matters in Spain. On one hand, the link itself between unionism and workers, and the current social perception towards unions in Spain. On the other hand, the creation of a media strategy that places unionism at the centre of the target<sup>8</sup>, blaming it for being one of the main obstacles for social and economic growth.

Based on several opinion polls and sociological analysis, the social perception towards trade unions in Spain could be summed up as 'fundamental, yet inefficient'<sup>9</sup>. As has happened with public institutions, data shows that citizens' trust in trade unions has fallen 18 points since 1996<sup>10</sup>. As an example of this, up to 40% of citizens consider unions to be responsible for the extraordinary and unacceptable unemployment rate. However, there are several components that influence said public opinion. Among others, there are the exogenous factors that we have already mentioned, like the discrediting media scheme and the obstructive legal strategy towards the main means of unionist action (strikes and collective bargaining), together with the destruction of stable wage labour.

In this framework, there are various elements that are inherent to the formation of unionism, like the general effectiveness of collective bargaining with regard to the ensemble of workers, which blurs the importance of union action. By the same token, we

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<sup>5</sup> According to sources from the Spanish Ministry of Interior, there were 36,000 demonstrations and protests throughout 2012 in Spain, and this number increased in 2013 with 43,170. There is no official data available for 2014

([http://www.interior.gob.es/documents/642317/1204854/Anuario\\_Estadistico\\_2013.pdf/b7606306-4713-4909-a6e4-0f62daf29b5c](http://www.interior.gob.es/documents/642317/1204854/Anuario_Estadistico_2013.pdf/b7606306-4713-4909-a6e4-0f62daf29b5c)).

<sup>6</sup> Whose last capitulation took place on the 20th of December 2013, via the RD-Ley 16/2013 of measures to promote stable contracts and improve worker's employability.

<sup>7</sup> Therefore, it is not surprising to find union campaigns in different parts of the world that explain the purpose behind unionism. There are also cases in Spain, A. BAYLOS, *¿Para qué sirve un Sindicato? (What are unions for?) Instrucciones de uso (Instructions)*. Catarata, Madrid, 2012.

<sup>8</sup> J. PEREZ REY, "El Sindicato en la diana" ('Unionism at the centre of the target'). *Revista de Estudios*, nº 18, Fundación 1º de mayo, agosto 2010, pp. 5-7.

<sup>9</sup> TOHARIA, J.J., "La imagen social de los sindicatos. Acotaciones sobre datos de opinión recientes", *Gaceta Sindical*, Nº21, 2013, pp. 163 y ss.

<sup>10</sup> LEZCANO points out that, while in 1996 38% of Spaniards trusted unions, the current percentage is 20.9%. At the same time, perception as to the influence of unions has fallen from 8.7% in 1997 to 2.1%. LEZCANO, F., "Reivindicar y repensar la política (y el sindicalismo)", en *Gaceta Sindical*, Nº21, 2013, pp. 163 y ss.

must not ignore certain (isolated) practices that have placed unionism in the 'dark side' of public opinion, which has skillfully been maximised by the media<sup>11</sup>.

This article seeks to address and elaborate on the aforementioned issues. We will try to offer an overview of the trade union situation in Spain, as we point out the circumstances that ineluctably condition the various perceptions within Spanish society right now. We will attempt to set a context for the work that trade unions have carried out concerning the crisis in relation to the never-ending reforms that have attempted to subjugate it. We will also talk about past and future challenges, which are causing a gap between representatives and those represented.

We therefore insist in the exigently unfinished and open nature of this study, as the link that constitutes present and future Spanish unionism resembles those films in which the end is nothing but a starting point.

## 2. Unionism in (the) crisis

According to the ways that government institutions have approached the crisis that began in 2008, we could identify two stages. In the first, the concern that drives the *anticrisis* regulations to focus on containing the deep employment crisis caused by the destruction of so many jobs, especially in the building sector and all the others that depended on the property market. In the face of permanent job destruction and increasing distrust from the financial markets regarding the Spanish solvency, Social Dialogue, wage moderation, extending social coverage for unemployment situations and encouraging the creation of stable contracts constitute the centre of confederal unionist activity and that of the public authorities themselves between 2009 and May 2010.

After May 2010, the economic measures operating in Spain are characterised for being varied, while still having one thing in common: reducing public deficit is the only way out of the economic recession. This is a very marked tendency and it reached its peak in September 2011, when Partido Socialista and Partido Popular changed article 135 in the Spanish Constitution, in order to regulate public spending by the Public Administrations and make it consistent with the public debt limit that was set in the Treaty on the Functioning of the European Union<sup>12</sup>.

In accordance with the proposals made by the European Commission and financial market regulating institutions like the World Bank or the International Monetary Fund, economic measures aimed at reducing public deficit should also come with government action to impose deep 'structural reforms' within the Spanish legal system. These would

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<sup>11</sup> LEZCANO refers to certain spheres of activity that are specially criticised. Among these, he notes the evident flaws in the negotiations of a number of mass redundancies (labour force adjustment plan or 'ERE' in Spanish), the intervention in certain areas of involvement like Management Boards. Especially in Saving Banks and employment training management. LEZCANO, F., "Reivindicar y repensar la política (y el sindicalismo)", op cit.p, 15.

<sup>12</sup> More about this, see NOGUERA, A., "La reforma constitucional española de 2011: el principio de estabilidad presupuestaria y el fin del estado social", en NOGUERA, A, GUAMÁN, A, Lecciones sobre Estado social y derechos sociales, Tirant Lo Blanch, Valencia, 2014.

have to involve a series of reforms in labour relations, social security and collective bargaining in order to create or maintain employment levels. In other words, while public intervention on a macroeconomic level has tended towards reducing public deficit and therefore, the contraction of the public sector, expectations as to sustaining and creating employment have been covered by a reformulation of labour relations and social protection mechanism regulations. In this sense, two clear lines of intervention have been consolidated.

The first one has to do with the 'inevitable' nature of austerity and deficit reduction measures as the only path that leads us out of the crisis and into economic recovery. This is how issues like changing the productive model or the much needed reforms in the business field in order to strengthen an economic activity that has been, in the last decades, based almost exclusively on the property market and a speculative and bullish spiral of housing prices, have been gradually pushed away from the political and economic debate. This evasion of responsibility on the part of corporate and economic agents by means of imposing public deficit reduction policies has been criticised due to the depressive effects they are having on the so called real economy<sup>13</sup>.

The second line of intervention is a reflection of the previous one and is closely related to the labour relations reforms, driven by the arguable principle that the creation or sustainment of jobs can only be achieved by reducing legal and political labour security, establishing a certain opposing relation between job creation and firm labour rights. This approach is not new to Spanish history. However, there is not an empirical foundation behind it now and there was not one in past crisis like the ones in the 80s and 90s last century. Even so, between 2010 and 2014 we have witnessed a high-intensity quantitative and qualitative reforming process which places labour rights as the main reason behind rigid regulations and therefore, job destruction.

As an anticipated result of these macro and microeconomic policies, we are now witnessing in Spain a deep setback in the wealth distribution<sup>14</sup>, which is directly linked to progressive unemployment, social expense reduction and public service contraction when, between the 80s last century and 2008, Spain had already reduced said distance above other OECD countries.

### **2.1. Labour reforms, decent work crisis and breakdown of social dialogue**

Labour reforms in Spain have not followed a linear process, with intervals of open social conflict and breakdown of all collaboration or interlocution spaces, mixed with opening negotiations and even agreements like the ones that emerged in Spain in January and February 2011 and that continued with the bargaining in the Spanish Confederation of Business Organizations (CEOE) on the collective bargaining reform

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<sup>13</sup> J. GUAJARDO, D. LEIGH and A. PESCATORI, *Expansionary Austerity: New International Evidence*. IMF Working Papers, 11/158.

<sup>14</sup> ECD, *Divided we stand. Why inequality keeps rising?* OECD Publishing, 2011.

and the search for new commitments to close pending collective agreements from 2010.

This non-linear process of reforms is marked by the before mentioned tendency to oppose job creation and the current standard labour rights in Spain. It is therefore not related with the European goal of *flexicurity*, as even in the most extreme inference of this, the maximum 'flexibility' would correspond to a higher 'security', which is contrary to the restriction of public expense. Therefore, the idea behind these reforms is that maintaining employment rates or reducing job destruction is achievable only if labour rights are reduced or nullified, or degrading the labour security system. In this sense, the Spanish confederal unionism has sternly criticized this position on the grounds of the resulting erosion of constitutionally guaranteed European social models, like the Spanish one, and believes that growth, development and employment must be concurrent with the consolidation of firm individual and collective rights.

Nevertheless, there is also a revised version of this argument, which insists that this unequal exchange is temporary and could be controlled. That is to say, a reduced temporary rights restriction phase in which social partners must participate through a tripartite agreement. Confederal unionism would not deny the main element, by which the creation of jobs means making it easier and less costly to lay workers off. Productivity rearrangement and freedom to choose atypical contracts becomes more one-sided too, but it also expects that these issues will be managed by unions and business associations.

Along this reformist path, we must highlight the manipulation of the Spanish confederal unionism on part of both the socialist government (Partido Socialista) and the current government (Partido Popular) in each labour reform. This calls for social dialogue as the best way to make labour reforms, while they warn social partners about two situations. The first is to reach a reform agreement within a certain period of time. The second is that, if an agreement were not reached, the reform will be implemented by the government itself, but there would still be signs of a labour project that usually distorts the negotiation process, as it is introducing a deregulating idea in a legal system. This has happened since the reform that was introduced by RD-Ley 10/2010, during the process of social dialogue that took place in 2012. This dynamic that has been shared by the two main political parties has had a negative effect in the questioning of the work done by trade unions as an organization that represents workers' interests and rights.

Spanish unionism has had to be very cautious about their mobility administration and their institutional presence in a social dialogue and collective bargaining context.

## **2.2. Consequences of the anti-unionist labour reforms**

If we look back at how labour rights in Spain have evolved in the last thirty years, we would see how obviously anti unionist legal intervention became in 2010, when

socialist president Zapatero started the first 'harsh' reform, which culminated in 2012. However, from an individual point of view, it had already become a breeding ground for an atomization of the working class, given the legally established wage labour temporality and insecurity. As a consequence, trade unions lost much of their power, as the number of memberships descended and public opinion became more hostile.

The temporality and insecurity in the labour market has resulted from each labour reform since 1984 got stronger after the flexibility paradigm that was accepted in 1994 and reached its peak with the 2012 reform. This last reform manages to maximize flexibility by legalizing conflict annulment and union weakening policies to carry out deep wage devaluation<sup>15</sup>, introducing considerable limits to the collective capacity to negotiate the price of labour<sup>16</sup>. To do so, this reform consolidates the importance of collective bargaining within companies and tries to delegate the procuring entities on the inferior levels, that is to say, the companies themselves, which almost exclusively become the center of all labour relations decision-making through four main axes: firstly, the promotion of escape agreements by the companies, with the clear intention of regulating the labour system that was set in the independent agreements. Secondly, the great priority given to company agreements. Thirdly, the limitation of collective agreement activity once its validity period had finished and lastly, salary amount becomes subject to modification in the working conditions on part of the companies.

### **3. Challenges that confederal unionism has still to face**

All that has been said up to now makes us reflect on the moment thought which confederal unionism is going in relation to its responsibility to represent the workers. On one hand, this reflection demands an analysis that covers all aspects related to content, mode, exercise and guarantees that come with representation. On the other hand, it is also essential to reflect on the meaning and reach of the concepts of workplace and worker. We will focus on the second aspect, related to the representation of workers in their workplaces.

The concept of 'workplace' has undoubtedly been one of the most neglected issues in Spanish *iuslabouralism*, owing mainly to its interlocking with Trade Law and with the shape and organization of business. All the transformations put into place in fordist companies,

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<sup>15</sup> Fundamental aim of this labour reform, as it asseverates in following legal texts like the Exposición de Motivos de la Ley 11/2013 (memorandum), where it states that 'the structural reforms that have been applied in Spain since the beginning of 2012 have three main goals (...), achieve a high level of flexibility that allows an adjustment of relative prices and wages, in order to increase competitiveness within our economy'.

<sup>16</sup> From the data gathered in the last survey of collective bargaining, we must highlight two endpoints as possible consequences of the labour reform: firstly, there have been more collective agreements signed in 2013 than those registered in 2012 and 2011: 758 more than in 2012 and 892 more than in 2011 (company agreements have gone from 835 in 2012 to 1361 in 2013, and sector agreements have gone from 251 to 483); the average wage variation set for the year 2013 was 0.57% (0.37 in company agreements and 0.58 in sector agreements). This is the lowest variation since there is statistical data available. An example of this, we should contemplate the fact that the wage variation in 2011 was 1.98 and in 2009, in the midst of the economic crisis, it was 2.25%. Data obtained from the Collective Labour Agreement Statistics (CCT in Spanish), provided by the Ministry of Employment and Social Security (2013 summary).

dividing them into several units but concentrating economic power, constitute a challenge for both trade unions and for labour relations legislation. At the same time, the ever constant increase of unemployment rates, which right now is at 5.5 million people, is also a fundamental challenge that has not been sufficiently covered.

This behavior of the *iuslabouralist* doctrine seems to have infected the (non) reflection spaces within trade unions, which are adopting a structure and organization in workplaces that are typically fordist, where workers are represented in the company without taking into account the interdependency with other companies to constitute a whole production process. Furthermore, workers are represented in relation with an adscription to a particular company and a particular line of work, neglecting once again one of the most relevant and new aspects, which is for different lines of work which are also linked to different companies<sup>17</sup> to meet in one single workplace.

Moreover, the meaning and scope of the concept of workplace contains a more transcendent idea, related to subjective transformations that come into play in the production process. In this respect, we hope to demonstrate how workers' representation in the workplace involves a selection which at the same time includes and excludes situations in which workers are protected by unionist representation. That is to say, the moment in labour timeline when representation of workers is selected is when the worker is inserted in a company under a strictly productivity logic. This fact stands in sharp contrast not only with the objective transformations of the production process but, as mentioned, with the situation of mass unemployment we are witnessing in Spain.

The current labour biographies, both characterized by constant transitions from employment to unemployment and the temporary nature of the bond between the workers and the company, question a model of labour representation that only comes into play in times when the worker is part of the production of goods or services. In other words, they are guaranteeing an absence of representation in those phases where workers maintain their status as such, but are not inserted in the dynamics of the production process<sup>18</sup>.

This is one of the most important challenges for the representation of workers and for the trade unions as, ultimately, they would have to focus on the sociopolitical aspects of these issues. In this regard, the representation of workers should adopt a richer and more varied platform of demands that accounts for the different social identities, even if these are not expressed in the workplace, as they are closely linked with the worker himself.

'The inability [by the union], today, to avoid fundamental ties such as ecological and international ties and the ones imposed by the women's movement and which derives from 'the vital needs of human people'. Trade unions, therefore, need to radically revise

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<sup>17</sup> In relation to this, there is an interesting synthesis report written by Amaia Otegui and Juan Blanco, "Estudio de trabajadores de pequeñas y medianas empresas", presented en el año 1990.

<sup>18</sup> For more information, see the study done by P. JÓDAR, A. MARTÍN ARTILES Y R. ALÓS-MONER, "El sindicato hacia dentro. La relación entre la organización y los trabajadores desde el análisis de la afiliación". *Papers*, nº 74, 2004, pp.113-144.

their strategy, the priority of their claims and the notion of what they essentially are, since it is not enough to just 'assume new petitions and add them to the old ones'.

Anyhow, there clearly seems to be two options: **continue to survive as a confederation of corporations, or return to being an interpreter of the fundamental interests of a very large part of society**<sup>19</sup>.

#### 4. Proposals for reflection

##### A) Fragmentation and isolation of workers

Firstly, we must refer to the process by which workers have been progressively isolated, and by which they are losing the possibility to socialize both labour rights and their demands inside and outside of work, generating, as a result, what has been called *decollectivisation of the worker*<sup>20</sup>. This process was born and developed from a growing concern about the economic dimension of labour. The difficulties of achieving a society with full employment that strictly derive from the model of economic growth, which have always been tackled under an artificial antagonism between working and life conditions and job creation. In other words, concerns about job creation have been gradually relocated from a productive model to the edges of labour regulation, to make Labour Law into kind of laboratory from which one can spuriously experiment with workers' living and working conditions under the guise of creating jobs. Moreover, this has led to an unusual business capability of unilateral disposition of 'workforce'<sup>21</sup>.

The way this process has taken place has to do with the not yet proven belief that the categorization of workers around degraded legal statutes would allow to provide certain previously selected groups of society with a better chance of employment, as they have been burdened with an extraordinary difficulty to access employment: young people, women, migrants... The final result, accelerated and intensified by the current crisis, has thrown the consolidation of a phenomenon by which workers cannot escape poverty even when they have one or more jobs ('the working poor'), thus altering the premise that predicted that 'he who does not work, does not have, but above all, exists not'<sup>22</sup>.

In this sense, the renewal of confederal unionism needs to be looked at closely, in order to strictly avoid an *ad infinitum* stratification of workers as a way to access employment. An attempt should be made to try to offer an alternative that unifies the 'various categories of workers' around one single statute that takes into account both the transitions from employment to unemployment and the different legal forms in which the

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<sup>19</sup> B. TRENTIN, "Por una nueva solidaridad, redescubrir los derechos y volver a definir el sindicato". *Economía y Sociología del Trabajo*, nº 10, 1990, pp. 16-29.

<sup>20</sup> J.J. CASTILLO *et alii*, *¿Qué hacemos con el trabajo?* Akal, Madrid, 2013.

<sup>21</sup> J. APARICIO TOVAR, "Continuidad de una política de empleo flexibilizadora en la reforma laboral de 2010", en (BAYLOS GRAU, Coordinador), *Garantías de empleo y derechos laborales en la Ley 35/2010 de Reforma Laboral*. Bomarzo, Albacete, 2011.

<sup>22</sup> U. ROMAGNOLI, "Redefinir las relaciones entre trabajo y ciudadanía". *Revista de Derecho Social*, nº 9 (2000), pp. 9-22.



worker can find himself or herself as a result of the rating given by the employer to the labour relation (subordinate work or freelance work, with particular attention to economically dependent self-employment).

Ultimately, a list of rights and duties would have to be done as a minimum threshold<sup>23</sup>. These rights and duties would have to be attributable to workers without taking such empty and transitory situations as the temporary or indefinite nature of work as reference points. Instead, they should take as reference matters like workers' knowledge, abilities and skills in relation to codetermined production requirements between business associations and trade unions<sup>24</sup>.

## **B) Breakdown of the workplace as a space of reference for labour representation**

Another challenge that confederal unionism should to tackle is the determination of a space in which to set and develop collective actions. In order to face this difficult task, several factors must be taken into account, although, for obvious reasons, we will only mention those that we consider to be most relevant.

The first one has to do with the atomization of the workplace due to a radical transformation of the production process. Companies are no longer conceived as a meeting place for workers with different notions and skills that simultaneously contribute their work in order to produce a certain product or service. Nowadays, this production is done through trade relations between different companies in different times and places. This situation can sometimes come with subsequent distinctions among workers, apparently according to their relevance within the production process: core and periphery. This breaks collective action up and leads to the establishment of collective strategies that are contrary to the interests of those workers who participate in the same productive process. We must, therefore, highlight two relevant aspects for the determination of a space in which collective representative action can be displayed. First, the important need of unions to socialize and connect the workers that are involved in the production of the same service or good, despite their contractual bond with different companies. The second one is to reconsider the way confederal unionism has tended towards federate articulation in relation with a 'clear' division between economic and productive sectors.

The other important factor that we want to bring to light has to do with the representation of workers' interests in a situation of massive unemployment, where there is sometimes an implied rejection towards representing unemployed workers. And this sometimes happens despite the fact that all workers' interests at stake seem to converge in terms of access to the fairest society possible. This situation of convergence in workers' final aspirations goes beyond distinction with regard to employment, inevitably leading

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<sup>23</sup> M. D'ANTONA, "Limiti costituzionali alla disponibilità del tipo contrattuale nel diritto del lavoro". *Argomenti di diritto del lavoro*, 1995, pp. 68 ss.

<sup>24</sup> López Bulla, J. L., "La parábola del sindicato", en *Metiendo bulla* (<http://lopezbullablogspot.com.es/>), consulted 5th of March of 2015.

confederal unionism to have to share spaces of collective action with other parties, social and popular movements, etc. This relationship between the confederal unions and other social movements allows a constant contact between working and living conditions, even if the second is highly dependent on the first. In this respect, it is important to mention the work done in the public sector through the so-called Social Summit, which ultimately allows not only a strategic alliance between different organizations, but has also put an end to rather questionable practice straddling between promoting mini-corporatism and the role of trade unions as a mere service for labour interests of strictly economic nature (promotion, stabilization, wage increases, etc.)

### **C) Principles and instruments for collective action**

Before we move on to analyzing the instruments for collective action, we should first reflect upon the principles that could serve as criteria for the "correct" determination of these. In other words, we must look into the relationship between representatives and those being represented in a context where classical or traditional forms of representation are being widely rejected by the public.

In the union sphere, these relationships between representatives and represented have been filled with content primarily through affiliate adhesion to the union project that has resulted from the various congressional processes. But also, these contacts between the two parties are forced regularly to certain situations of conflict by the participation of their members in the meetings called by the trade union organizations. This representation 'model' has led to a selection of represented members among workers. That is to say, the relationship between representatives and represented has been getting tangled up only around the affiliated members, leaving the rest of the workers to one side in strategic moments.

Beyond the opinion we might regarding this attitude, full of so many nuances that it would exceed the extension of this work, we should note to what extent these dynamics have undergone a qualitative change that tends to extend the subjective field of union representation, opening spaces to non-members but supporters of one or other union. In addition, participation levels have increased, reaching matters whose decision was usually exclusively left to unionized workers. Despite this openness, however, there is still a demand for more participative and less opaque trade unions. Certainly, in this sense, the introduction of participation channels that go beyond representative bodies themselves, especially when related to issues that transcend specific conflicts of workplaces, would be required.

As to strikes and collective action and bargaining tools, there are many issues that need to be studied and put into perspective, but not all are accessible to trade unions.

As far as collective bargaining is concerned, there has long been a need for a qualitative evolution in the contents of it, discarding negotiations which are based exclusively on the half-hour reduction of working time or the amount of increased wages,

which currently consists in explaining to workers that working time has not increased so much or salary has not been reduced as much as expected, given the initial negotiating position. In this sense, collective bargaining must become a genuine instrument for determining the needs of the production organization in relation to the aims pursued. This would force a change in the shape and approach of union work in the company, demanding higher participation of workers in the development of trade proposals by discarding the idea of a union work whose function is to cushion the adverse effects of business positions. In this sense, union work in the public sector, education and health, is quite promising because they have managed to clearly place in the center of the debate the goals that are pursued through the different claims and protests, and also the means they needed to do this, including of course working and employment conditions.

With regard to strikes, they should simply be understood as the way of making conflict visible. If we analyze them from this perspective, the content of strikes could, and should, be enriched by various forms of work abstention. This does not mean that work abstention as an exercise of the right to strike should be discarded. In fact, in certain activities the refusal to work will probably make a greater impact than any other form of expression of the conflict. However, in other activities, such as High Education, not going to work goes completely unnoticed. In this sense, proposals that shape new forms of strike, like University teachers teaching their students in the street, should be welcomed and embraced, without falling into a bourgeois defense of the classical forms of conflict.