

Prof. Dr. Gustav Wachter, Innsbruck

Social Partnership in Austria

Country Report Austria

for the

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21st Century”**

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Preface

Dear Colleagues, Distinguished Ladies and Gentlemen, Dear Honoured Guests. First of all I want to say, that I am very grateful for the opportunity of giving a lecture at the International Symposium on the

"Prospect of Social Partnership in the 21st Century".

And I want to thank my old friends here in Taipei, particularly Prof. Hwang Yueh-chin, for inviting me to come to this important International Conference.

It's my job at this symposium to deal with social partnership in Austria.

The Austrian model of social partnership is widely regarded as the most intensively, most solidly and most extensively extended form of social partnership in Europe.¹ It is generally opined that the Austrian social partnership of classical forming is an elementary building block for the economical and social success of Austria in the period after World War II.² And it is emphasised consistently, that the economical and social success of Austria is linked with the Austrian way of social partnership.³ *Delapina*⁴

¹ See e.g. *Haupt*, Positive und negative Kritik an der Sozialpartnerschaft, in: *Strohmer* (Ed), Die Sozialpartnerschaft in Oesterreich (2005), 87 ss.

² See e.g. *Verzetnitsch*, Die Zukunft der Sozialpartnerschaft, in: *Strohmer* (Ed), Die Sozialpartnerschaft in Oesterreich (2005), 77 ss; *Tálos*, Vom Vorzeige- zum Auslaufmodell. Oesterreichs Sozialpartnerschaft 1945 bis 2005, in: *Karlhofer, Tálos* (Ed), Sozialpartnerschaft. Oesterreichische und Europaeische Perspektiven (2005), 185 ss (185): For a long period of time social partnership was regarded both as a central political factor as well as a figurehead and a crucial factor for success in Austria in the period of the second republic. The comparatively good economic performance, the strikingly low strike-rate and the broadly extended welfare state were regarded as closely linked to this form of interest mediation and interest policy. In the comparative research Austria took the role of a prominent representative of the negotiation-democracy in both its forms of appearance: the concordance- or consensus-democracy and the (neo-)corporatism (see *Lehmbruch* 1985, 1998; *Armingeon* 2002; *Czada* 2002).

³ See e.g. *Leitl*, Manager des Wandels – Die Zukunft der oesterreichischen Sozialpartnerschaft, in: *Strohmer* (Ed), Die Sozialpartnerschaft in Oesterreich (2005), 49 ss (49). In the preamble of the government declaration in the year 2000 the governing parties OeVP and FPÖ have for example lined out the special meaning of the social partnership in Austria – at least regarding the past – with the

expressed it with these words:

„The rise of Austria from the devastation of World War II to one of the richest countries in the world is intrinsically tied to specifically Austrian system of social partnership, which by far transcends the main field of employer-employee-relation, that is to say the regulation of the labour-relations (collective agreements concerning payment and working-conditions). Especially the remarkable economical and social stability can be traced back to this system, that is built upon the existence of big and comprehensive interest groups of the big economical groups: Almost all occupational groups are organised in the self-administered public-law-entities of the chambers with lawfully compulsory membership, and the Austrian Trade Union Federation as an association with voluntary membership works as a comprehensive umbrella organisation of the single specialised trade unions. This comprehensive form of organisation with high representativeness and a broad democratic legitimization is the necessary requirement for the internal and the external balance of interests. In contrast to policies of parliamentary parties, which are oriented to quadrennial cycles of elections, it allows to waive one-sided maximum-strategies and going along with that an objectification of policy as well as a national-economic orientation of strategies. This enforces the stability of expectations and of the whole system, it enhances reliability and calculability and by that leads to a reduction of expenses both at business-level and at national-economic-level“.

All this at least applies to the decades from the end of World War II until about the middle of the nineties of the past century. Since then the importance of the social partnership is decreasing. The main reasons for this are:

- The strongly increased international integration of the Austrian economy and the rising international stress of competition the Austrian economy has to face (which noticeably reduces the national room for manoeuvres);

following words: “In Austria the social partnership has proven itself as an important instrument for location in the fields of economy and labour and by that it has contributed to the social peace”.

⁴See *Delapina*, *Entwicklungstendenzen der oesterreichischen Sozialpartnerschaft*, in: *Wirtschaft und Gesellschaft*, special edition, *Die Reform der AK und ihr gesellschaftspolitisches Umfeld* (2002), 105 ss (107 s).

- the membership of Austria in the European Union⁵ since 1995 (which also constricts Austria's possibilities for independent activities in many areas);
- the altered constellation of the government since the year 2000, with a coalition of OeVP and FPÖ, which (despite a verbal commitment to the social partnership) does not attach as much importance to the contribution of the social partnership to the social and economic policy, as former governments did; thus in many areas it has taken leave from the concordance- and negotiation-democracy of former decades.⁶

The question, how the future of the social partnership in Austria might look like, will be referred to later.

But before that the key elements of the Austrian social partnership shall be discussed. Facing the brevity of the disposable time it is unfortunately not possible to illustrate the history of the social partnership.⁷ And also regarding the content, the complex phenomenon of social partnership cannot be illustrated comprehensively. Obeying the shortness of given time it rather can only be given an overview.

1 The Character of the Austrian social partnership

The social partnership – also called economic and social partnership – is a system of economic- and socio-political co-operation between the interest groups of the employers and the employees as well as the government.⁸ It is all about the co-operation between the big interest groups among themselves and their co-operation with the government.

⁵ Which by now has not less than 25 member-states and will soon be enlarged by a few more states.

⁶ See e.g. *Delapina*, Entwicklungstendenzen der österreichischen Sozialpartnerschaft, in: *Wirtschaft und Gesellschaft*, special edition, Die Reform der AK und ihr gesellschaftspolitisches Umfeld (2002) 105 ss (107 s); *Talos*, Vom Vorzeige- zum Auslaufmodell. Österreichs Sozialpartnerschaft 1945 bis 2005, in: *Karlhofer, Talos* (Ed), Sozialpartnerschaft. Österreichische und Europäische Perspektiven (2005) 185 ss (208).

⁷ On the history of the social partnership in Austria see e.g. *Tomandl/Fuerboeck*, Social Partnership (1985) 14 ss.

⁸ See e.g. *Leitl*, Manager des Wandels – Die Zukunft der österreichischen Sozialpartnerschaft, in: *Strohmer* (Ed), Die Sozialpartnerschaft in Österreich (2005) 49 ss (52).

The fundamental idea of this system is that the basic aims of politics, which are

- the attractiveness of the business location,
- the increase of the dynamic competitiveness and innovation,
- the improvement of the productivity,
- full employment,
- positive development of real earnings,
- wealth and social security,
- balance of foreign trade and payments,
- price stability and environmental protection,

can be reached rather by a coordinated proceeding of the big groups of the society, than by carrying out conflicts, e.g. industrial actions, which are inevitably connected with national-economic losings.⁹

In former times *Bruno Kreisky* called it the "sublimation of the class struggle by the social partnership".

The process of conflict resolution by negotiation can be applied in Austria easier than in other European countries because the number of negotiators is a relatively small one due to the principle of uniform organisations, the continuity of the organisations is a high one and their mandate for representation of interests is a comprehensive one.¹⁰

The system of co-operation on economic and social issues, commonly referred to as "social partnership", is a **voluntary** arrangement. Developed over time, this cooperation of the various interest groups is mostly of an informal nature and not regulated by law.¹¹

The social partnership does not deal with industrial relations alone – **collective agreements** are negotiated on the employer side usually by the relevant sub-organisations of the Federal Economic Chamber and on the employee side by the Trade Union Federation. It is estimated that 90-95% of private-sector employees are covered by collective agreements.

⁹ See e.g. *Leitl*, *Manager des Wandels – Die Zukunft der oesterreichischen Sozialpartnerschaft*, in: *Strohmer* (Ed), *Die Sozialpartnerschaft in Oesterreich* (2005) 49 ss (53).

¹⁰ See e.g. *Leitl*, *Manager des Wandels – Die Zukunft der oesterreichischen Sozialpartnerschaft*, in: *Strohmer* (Ed), *Die Sozialpartnerschaft in Oesterreich* (2005) 49 ss (52).

¹¹ See: http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

What distinguishes the Austrian social partnership is that it extends to **practically all areas of economic and social policy**. For this reason Austria is considered an excellent example of corporatism, i.e. comprehensive and co-ordinated representation of group interests.¹²

The essence of the social partnership is the commitment of the four interest groups to pursuing **common long-term economic and social policy aims** and their shared conviction that such aims are better achieved through dialogue leading to cooperation and co-ordinated action than through open conflict.¹³

Social partnership does not mean, however, that conflicting interests are denied or ignored. It is instead a method of balancing contradictory economic and social interests by seeking **solutions that benefit all participants** and maintaining a **willingness to compromise** to achieve this aim.¹⁴

2 Special culture of conflict management

In the actually effective basis for the co-operation between the social partners – the agreement between the social partners of November, 23rd 1992¹⁵ – the special culture of conflict management by the social partners is described quite illustratively with the following words:

“The social partnership is characterised by a special kind of discussion and negotiation culture and by the willingness of its participating bodies to enforce compromises internally as well as externally and to represent different interests with due regard to medium-term joint objectives and the overall interests of society. This requires and is conditional upon a permanent base for discussion and constant exchange of information“.

¹² See: http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

¹³ See: http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

¹⁴ See: http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

¹⁵ Agreement between the Federal Economic Chamber, the Federal Chamber of Labour, the Austrian Trade Union Federation and the Presidential Conference of Austrian Chambers of Agriculture, Vienna, November, 23rd 1992.

3 The Objectives of the Social Partnership

In the already quoted agreement between the social partners of November, 23rd 1992¹⁶ the following, that today still applies, is said very significantly in correlation with the aims of the social partners:

„Co-operation between the social partners, based on the voluntary principle, has always been motivated by the awareness that concerted efforts are the best means to strive for and achieve the objectives of accelerated growth and higher national incomes. Key elements in their endeavours were the stabilisation of monetary value and the enhancement of production (cf. Raab-Olah Agreement of 1962).

The international economic development is currently characterised by the globalisation of competition, growing liberalisation in the services sector, regional integration and matching strategies on the part of the business community. The need for careful management of our natural resources is accepted worldwide. In addition, political upheavals and a considerable decline in affluence across Europe and internationally have generated large migratory movements.

This development brings with it a multitude of challenges for economic and social policies in Austria. Such challenges make it expedient to renegotiate the objectives and means of co-operation between the social partners:

- Augmentation of affluence and social standards by qualitative growth, which should be as compatible as possible with ecological concerns and create the re-sources for rehabilitating the environment.*
- Joint efforts to achieve full employment; specific labour market problems require special consideration and promotion of problem groups such as elderly employees, the young and women.*
- Safeguarding overall economic stability by suitable policies with regard to income, competition and currency.*
- To attain this end, it is necessary to ensure international competitiveness for the Austrian economy. This requires in particular constant efforts*

¹⁶ Agreement between the Federal Economic Chamber, the Federal Chamber of Labour, the Austrian Trade Union Federation and the Presidential Conference of Austrian Chambers of Agriculture, Vienna, November, 23rd 1992.

towards achieving high investment levels, extending research activities, persistently improving productivity and quality, and an excellent infrastructure.

- Broad participation in international and in particular European integration by joint and active co-operation within the scope of objectives and conflict management strategies as developed by the social partners, in which efforts they expect to be supported by the federal government.
- Support for increased internationalisation of the Austrian economy.
- Promotion and development of human skills and talents in Austria. In this, the social partners perceive a special challenge with regard to education and training.
- Maintenance and improvement of a humane working environment and continued development of a well-balanced social structure in Austria.

Ensuring Austrian competitiveness in the medium term will require in particular persisting in an economic and social policy directed towards consensual solutions. Our experience in the past decades has shown that social peace is a value per se and a major comparative advantage in international competition.

Co-operation between the social partners aims to achieve a medium term continuum in economic policy and economic development.

In economic policy, the ecological element has gained a prominent place. Among the social partners, awareness of the issue grew at an early stage through studies prepared by the Advisory Committee for Economic and Social Affairs, and solutions have been outlined on a joint basis. In the future, their offer to contribute to coping with the requirements of an environmental policy will be forwarded with more emphasis.

Agriculture faces a particularly difficult position, due to the increasing free trade in agricultural products, constant price pressures brought to bear on key products, great ecological challenges and the transition to services functions. The social partners advocate their support for efficient, territory-wide agriculture and forestry on a farming basis, and they will contribute to finding a constructive solution for the pending problems."

4 Current Challenges

In the agreement quoted above the social partners envisaged the "current" challenges as follows:

"In the years to come, the social partners consequently envisage special challenges in the fields of internationalisation, integration, the opening of Central and Eastern Europe, and in policies involving the labour market, migrants, education and environment.

In their traditional field of income policy (wages and price policy), the social partners continue to feel challenged to jointly discuss the relevant problems and achieve results in line with the above economic and social policy objectives.

They intend to continue their administration of statutory regulations in matters such as social security and agricultural market regulations, and they intend to contribute to a new organisational model of the labour market administration.¹⁷

The social partners continue to insist on being consulted in the drafting of bills and decrees, in order to contribute towards a pertinent solution by furnishing their experience and the forwarding the interests of their members.

In matters where they have highly divergent opinions but which directly touch upon the very interests of their respective members they will insist on being included in political solutions: this applies in particular to social policy, especially health and pension insurance, provisions for old age, labour laws and the labour code.

In the long term, the social partnership will be successful only when it operates from a position of strength and financial independence. The

¹⁷ This new model was realised in the year 1994 by the creation of the Labour Market Service based upon the Labour Market Service Act.

social partners are therefore committed to the internal reconciliation of interests and the principle of compulsory membership in the chambers.

Acceptance of compulsory membership by members and the public must be enhanced by improved internal democracy, strict internal monitoring and greater transparency. Yet, social partnership also means that this type of conflict management must not be restricted to governing the rules of procedure at a federal level, but be pursued at a company and provincial level and, to an ever increasing extent, at an international level".

It is quite interesting to see, that 14 years after the conclusion of the agreement named above most of the challenges still exist.

5 The Social Partners

The social partners facing the government are the following:

- the Wirtschaftskammer Oesterreich¹⁸ / Economic Chamber Austria / Federal Economic Chamber
- the Bundeskammer fuer Arbeiter und Angestellte, / Federal Chamber of Labour
- the Oesterreichische Gewerkschaftsbund / Austrian Trade Union Federation und
- the Praesidentenkonferenz der Landwirtschaftskammern Oesterreichs („Landwirtschaftskammer Oesterreich“) / Presidential Conference of Austrian Chambers of Agriculture („Agricultural Chamber Austria“).

5.1. The Federal Economic Chamber

The organisation of the “economic chambers” is quite complex. There are nine economic chambers, one in each province. They include within their branches¹⁹ virtually every area of Austrian free enterprise. All establishments

¹⁸ This is the new appellation of the former „Bundeskammer der gewerblichen Wirtschaft“.

¹⁹ Commerce; industry; mining; trade; financial-, credit- and insurance-industry; traffic; information transmission; tourism and recreational industry and finally miscellaneous services.

whose activity falls under one of these branches are compulsorily enrolled as members of a chamber and of its subordinate units. The nine provincial chambers are integrated into one central agency, the “**Economic Chamber Austria**”.²⁰

The intended purpose of the economic chambers in general is the representation of the common interests of its members.

The economic chambers have a legal identity of their own, possess the legal capacity to enter into collective agreements on behalf of their members and to represent them in proceedings before the labour courts.²¹

Moreover the economic chambers have for example the right to examine legislative projects and give their opinion about them:²² Before draft laws may be brought to the lawgiving statutory body, they have to be transmitted to the respectively concerned chambers by granting them an adequate period of time for the examination. The Federal Economic Chamber has to be informed without delay about all projects concerning the legislation within the scope of the European Union and it has to be given opportunity to give its opinion about drafts of directives, regulations or recommendations of the European Union within an adequate period of time.

5.2. The Federal Chamber of Labour

The organisation of the chambers of labour is also quite complex. A chamber of labour²³ has been established in each of the nine provinces.²⁴ Membership in the chamber of labour is obligatory for employees of any description unless they are in public service or occupy key managerial positions in private businesses.²⁵

The nine provincial chambers of labour are linked together in the “**Federal Chamber for Blue-Collar and White-Collar Workers**” / “Federal Chamber of Labour” which is responsible for dealing with labour problems at the federal level. Although the chambers of labour are empowered to act for their

²⁰ Vgl e.g. *Tomandl/Fuerboeck*, Social Partnership (1985) 22.

²¹ See e.g. *Tomandl/Fuerboeck*, Social Partnership (1985) 22.

²² See § 10 of the Chambers of Economy Act 1998.

²³ The official designation is „Chamber for Blue-Collar and White-Collar Workers“.

²⁴ Agricultural and forestry workers have their own special chambers.

²⁵ See e.g. *Tomandl/Fuerboeck*, Social Partnership (1985) 20.

members in the matter of collective agreements, they leave such bargaining entirely to the trade unions. Instead the chambers of labour regard themselves as the intellectual spearheads of the labour movement and view their principal function as underpinning trade union policies with the necessary scientific data and arguments. As the brains trust of the union movement, the chambers publish numerous books and periodicals and also take a keen interest in consumer protection. Like the other chambers, they must be consulted on any government bill that affects their members' interests before the proposed bill may be brought before Parliament. The chambers are represented in numerous government institutions and on the various boards and committees established within the framework of Austria's social security system. The chambers of labour act as the extended arm of the OeGB, relieving the federation of responsibility for especially costly activities and so on.²⁶

5.3. The Austrian Federation of Trade Unions

The Oesterreichische Gewerkschaftsbund / Austrian Federation of Trade Unions is the most powerful voluntary association in Austria. Widely regarded as one of the most centralised trade unions, the OeGB/AFTU, as distinct from its constituent unions, concentrates power because of the way it was originally organised. Under the OeGB-charter the twelve constituent unions have no legal independent identity. They are no more than subordinate agencies of the federation, and de iure it is only on behalf of the federation that they can act (though in practice they proceed under their own names). The federation has the power of purse, setting membership fees and administering union funds, but it allows the constituent unions a large measure of independence.²⁷ The OeGB and his twelve constituent unions²⁸ represent the economic, politic, social and cultural interests of all employees towards the employers, the state and the parties

²⁶ Vgl e.g. *Tomandl/Fuerboeck, Social Partnership* (1985) 20.

²⁷ See e.g. *Tomandl/Fuerboeck, Social Partnership* (1985) 18.

²⁸ These are the following unions:

- Gewerkschaft der Privatangestellten/Union of the Privately Employed,
- Gewerkschaft der Gemeindebediensteten/Union of the Community Employees,
- Gewerkschaft Bau-Holz/Union Construction-Wood,
- Gewerkschaft der Eisenbahner/Union of the Railway Employees,

Moreover the organisation offers its members support for questions concerning their working life.

Among the most important duties of the OeGB as umbrella organisation are:

- attending the interests of all employees by initiatives for general collective agreements and legal regulation as well as giving opinions about the social policy and about draft laws affecting employees;
- industry-wide co-determination in the scope of the economic and social partnership;
- enforcement of social improvements, safeguard and enhancement of social security;
- the retrieval of full employment, the safeguard of the real wages, efforts for price stability and economic growth;
- efforts to humanise the world of labour, and so on.

5.4. Presidential Conference of Austrian Chambers of Agriculture („Agricultural Chamber Austria“)

In Austria also in the fields of agriculture and forestry there are chambers:

In every province an agricultural chamber is established by a federal state law. Due to reasons concerning constitutional law the establishment of a national central organisation²⁹ is not possible. Because of this there is no “Federal Chamber of Agriculture and Forestry”.

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- Gewerkschaft Handel, Transport, Verkehr/Union Trade, Transport, Traffic,
 - Gewerkschaft der Post- und Fernmeldebediensteten/Union of the Post- and Communications Employees,
 - Gewerkschaft Metall-Textil-Nahrung/Union Metal-Textile-Food,
 - Gewerkschaft Oeffentlicher Dienst/Union Public Service,
 - Gewerkschaft Kunst, Medien, Sport, freie Berufe/Union Art, Media, Sports, Free-Lancing,
 - Gewerkschaft der Chemiarbeiter/Union of the Chemistry Workers,
 - Gewerkschaft Druck, Journalismus, Papier/Union Print, Journalism, Paper,
 - Gewerkschaft Hotel, Gastgewerbe, Persönlicher Dienst/Union Hotel and Restaurant Industry, Personal Service.

²⁹ That would be comparable to the Federal Economic Chamber or to the Federal Chamber of Labour.

The nine state-chambers have however formed an umbrella organisation together. It is an association according to the federal law on associations. This association is named "**Praesidentenkonferenz der Landwirtschaftskammern Oesterreichs**" ("Presidential Conference of Austrian Chambers of Agriculture"). The members of this association are the nine agricultural chambers and the Oesterreichische Raiffeisenverband (Austrian Raiffeisen-Association). The one and only aim of the association is to form a central organisation of the Austrian agricultural chambers. The purpose of the association is to support the national-economic-related tasks of agriculture and forestry and the representation of common interests. The Presidential Conference of Austrian Chambers of Agriculture has however a different legal basis than the Federal Economic Chamber and the Federal Chamber of Labour. But regarding the role, the Presidential Conference can quite well be compared to these statutorily established federal chambers.³⁰

6 The Parity Commission

The central institution of the social partnership is the „Paritaetische Kommission für Preis- und Lohnfragen“ / „Parity Commission [for Price- and Wage-Questions]". It was established back in 1957 as a temporarily limited instrument for co-operation between the employee- and the employer-associations. But it quickly developed towards the central institution for the social partnership and it still persists today.

Whereas the Parity Commission formerly dealt mainly with price controls and combating inflation, it has nowadays become an **institutionalised forum for dialogue between the social partners and the government**. Here matters of particular importance, common strategies and concerted actions as well as any arising conflicts are discussed and the recommendations of the Advisory Council for Economic and Social Affairs are considered.³¹

³⁰ Due to this in practice sometimes the expression „Landwirtschaftskammer Oesterreich“ (“Federal Chamber of Agriculture”) is used.

³¹ See the Agreement between the Federal Economic Chamber, the Federal Chamber of Labour, the Austrian Trade Union Federation and the Presidential Conference of Austrian Chambers of Agriculture, Vienna, November, 23rd 1992, 4.

6.1 The Plenum of the Parity Commission

The Plenum of the Parity Commission consists amongst others of the top representatives of the government and of the four big interest groups (Federal Economic Chamber, Federal Chamber of Labour, Austrian Federation of Trade Unions and the Presidential Conference of Austrian Chambers of Agriculture).

Particularly the members of the Plenum of the Parity Commission are:

- the Federal Chancellor
- three federal ministers
- the presidents of the above named interest groups and their substitutes
- public servants

In the Plenum of the Parity Commission only the four interest groups are entitled to vote.

The formal decisions are taken in the Plenum of the Parity Commission. The preparation is done in subcommittees, namely the Subcommittee for Wages, the Subcommittee for Competition and Prices and the Advisory Council for Economic and Social Affairs.

6.2 The subcommittees of the Parity Commission

The Parity Commission disposes of four subcommittees:

- the Advisory Council for Economic and Social Affairs,
- the Subcommittee for International Concerns,
- the Subcommittee for Wages and
- the Subcommittee for Competition and Prices.

Back in the seventies of the past century the Subcommittee for Competition and Prices as well as the Subcommittee for Wages and the Parity Commission herself predominantly were instruments for price control and for combating inflation. But since the beginning of the nineties of the past century the number of goods, for which there are statutory regulated prices or tariffs, has been decreased noticeably. For that reason the importance especially of the

Subcommittee for Competition and Prices and going along with it – concerning price control and the combating of inflation – also the importance of the Parity Commission as a whole has decreased distinctively.

6.2.1 The Advisory Council for Economic and Social Affairs

The Advisory Council for Economic and Social Affairs consists of representatives of the four interest groups. Additionally they are enforced by experts and two managing directors; one of the managing directors is nominated by the Federal Economic Chamber and one is nominated by the Federal Chamber of Labour.

The **Advisory Council for Economic and Social Affairs** is a body whose task is, at the request of the social partners or the government, to study economic and social issues and to work up **unanimous recommendations of the social partners**. Such studies are usually conducted by task forces made up of experts from all areas of government, academia and business. Expert input in a policy-related body can thus be used to find common ground, establish facts and data, and encourage objectivity in the economic policy debate.³²

The recommendations which are elaborated by the Advisory Council are being transmitted (if necessary with amendments) to the Federal Government by the Parity Commission. Thus concerning questions of the economic policy the Advisory Council for Economic and Social Affairs is a counselling body for the government that is under the control of the social partners.

6.2.2 The Subcommittee for International Concerns

The subcommittee for questions on the European integration consists of 16 representatives of the interest groups, of which each delegates four members.

This subcommittee was and still is mainly concerned with questions on the integration of the Austrian economy into the European Union, with questions on modernisation, competitiveness and with questions on the adjustment of

³² See http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

the Austrian position on economic law (liberalisation, deregulation) to the European one.

By a common evaluation of international processes the participation in consultations and decision-making in European and international interest groups, which becomes more and more important, shall be eased and if required also coordinated.

6.2.3 The Subcommittee for Wages

The Subcommittee for Wages exclusively consists of representatives of the social partners.

It plays a role in the context of the raise of the earnings regulated by collective agreements. An application for the raise of the earnings regulated by collective agreements is brought to the Subcommittee for Wages by a particular union indirectly over the Austrian Federation of Trade Unions and the Parity Commission. The Subcommittee for Wages then decides, whether the parties of collective bargaining may take up negotiations or not. If negotiations are authorised, the result that is agreed upon by the parties will be submitted to the Subcommittee for Wages. But the Subcommittee for Wages has however no influence on the content of the collective agreement.

Considered from this point of view the Subcommittee for Wages has only got an indirect influence on the wage policy. The relevance of the Subcommittee for Wages lies especially in his ability to take influence on the runtime of the collective agreements by managing the temporal authorisation of the collective bargaining. The contents of the collective agreements are agreed upon by the parties of collective bargaining. Thus the Subcommittee for Wages in no case conducts collective bargaining himself.

6.2.4 The Subcommittee for Competition and Prices

The Subcommittee for Competition and Prices consists of representatives of the four social partners and of the federal ministries for finance and for economy.

The importance of this subcommittee has – as already mentioned above – decreased since the beginning of the nineties of the past century. Nowadays it is primarily used as an instrument of competition control. His aim is to prevent excessive pricing due to market dominating positions.

Under certain circumstances he has the possibility to make an application on reintroduction of the official regulation of prices by the Federal Ministry for Economy or on examination by the Cartel Agency.

7 Activities of the social partners outside of the Parity Commission's institutions

In addition the social partners are well-established in Austria's political system in numerous ways:³³

Legislation: The representative organisations have the right to evaluate proposed legislation, to make recommendations to law-making bodies, and to draft texts for legislation directly related to the interests of the social partners (social welfare and labour law, etc.).

Administration: The social partners are represented in numerous commissions, advisory boards and committees and thus exert influence in matters of, for example, the apprenticeship system, inspection of working conditions, issuance of certificates of origin, competition and anti-trust policy, labour market policy and public promotion and funding programmes.

Justice: The social partners nominate candidates to act as lay judges at labour courts and appoint assessors for the cartel court.

The organisations play an important role in the **social security system** by maintaining representatives in the **social insurance institutions**, which are organised as self-administrating entities under public law.

The social partner's responsibilities also include **informal negotiating and problem solving** in their special areas of expertise, such as labour law and

³³ See: http://www.sozialpartner.at/sozialpartner/Sozialpartnerschaft_mission_en.pdf.

social welfare issues, but also trade regulations and family law, where agreement between the social partners is often a prerequisite for an appropriate solution at the political level.

8 The relevance of the social partnership

The relevance of the Austrian social partnership has recently been described very accurately by the president of the Federal Economic Chamber in a publication³⁴ with the following words:

The main value of the social partnership can be seen in the possibility to clear objectively difficult questions on economic and social policy, to find concurrent opinions and if necessary reach compromise solutions. If this can be accomplished, the country will be provided with valuable help and the national-economic stability is provided for.

But the social partnership also receives a special value by the fact that due to the co-operation of the social partners in the advisory bodies the common responsibility of the various groups that are important for the economic life is activated. This form of co-operation helps to avoid insecurities and redounds to a stabilisation of the economic and social environment.

This leads towards a high level of social peace and by that has a positive effect on Austria as a business location. This is an outstanding achievement, which shouldn't be waived in the future.

As an example it can be mentioned here that in Austria the strike-time is measured in seconds per employee and year and that this stability has become one of the most important location factors – especially in a global, networked world, where reliability plays a decisive role.

Another example is the orientation of the collective agreements on the development of the productivity. By the productivity-oriented wage policy the social partners decisively contribute to the perpetuation of the competitiveness together with a positive development of the real wages and the employment.

³⁴ See *Leitl, Manager des Wandels – Die Zukunft der österreichischen Sozialpartnerschaft*, in: *Strohmer* (Ed), *Die Sozialpartnerschaft in Österreich* (2005) 49 ss (54 ss).

9 About the future of the social partnership

The question how the future of the social partnership might look like is discussed intensively in Austria.³⁵

9.1 European perspective

According to the predominant opinion in Austria the social partnership the way it was founded in the 1960s/70s doesn't offer a European perspective; despite the enhancement of the significance of the social dialogue and the integration of the three umbrella organisations (UNICE, CEEP, EGB) at the level of the community³⁶ it still differs substantially from the traditional corporative model of the Austro-corporatism; due to that in Austria it is not expected that the social dialogue at the level of the community could be developed and enhanced from a co-operation concerning particular regulations towards a form of concentration and co-forming of important fields of politics, comparable to the Austro-corporatism.³⁷

9.2 National perspective

Concerning the future development at national level basically three scenarios

³⁵ See e.g. *Delapina*, Entwicklungstendenzen der oesterreichischen Sozialpartnerschaft, in: *Wirtschaft und Gesellschaft*, special edition, *Die Reform der AK und ihr gesellschaftspolitisches Umfeld* (2002) 105 ss (107 s); *Karlhofer, Tálos* (Ed), *Sozialpartnerschaft. Oesterreichische und Europaeische Perspektiven* (2005) *Karlhofer, Tálos*, *Sozialpartnerschaft und EU* (1996); *Kienzl*, *Sozialpartnerschaft Gestern – Heute – Morgen* (2005); *Tálos*, *Vom Vorzeige- zum Auslaufmodell. Oesterreichs Sozialpartnerschaft 1945 bis 2005*, in *Karlhofer, Tálos* (Ed), *Sozialpartnerschaft. Oesterreichische und Europaeische Perspektiven* (2005) 185 ss (208).

³⁶ Concerning the interest groups at European level see especially *Egger*, *Das Arbeits- und Sozialrecht der EU und die oesterreichische Rechtsordnung*² (2005) 532 ss; *Schmidt*, *Aufgaben und Befugnisse der Sozialpartner im Europaeischen Arbeitsrecht und die Europaeisierung der Arbeitsbeziehungen* (2002) 99 ss.

³⁷ See e.g. *Tálos*, *Vom Vorzeige- zum Auslaufmodell. Oesterreichs Sozialpartnerschaft 1945 bis 2005*, in *Karlhofer, Tálos* (Ed), *Sozialpartnerschaft. Oesterreichische und Europaeische Perspektiven* (2005) 185 ss (208).

are being discussed in Austria:³⁸

- **renaissance of the classical social partnership;**
- **intensive further reduction of the social partnership, which means a development towards confrontation;**
- **a middle course**, some kind of “**social partnership light**”.

When it comes to estimating which one of these scenarios is the most probable one, one has to be aware of the fact that some of the reasons for the reduction of the importance of the social partnership particularly in the past ten years will also persist in the future:

- the international integration of the Austrian economy;
- the international stress of competition and
- the massive reduction of room for independent manoeuvring in Austria due to the membership of Austria in the European Union.

Contrary to this the last one of the main reasons for the reduction of the importance of the social partnership is in a manner of speaking “home-made”, thus it will depend on the further development in Austria. The point referred to is the circumstance that the actual government does no longer emphasise the co-development of the social and economic policy by the social partners as much as former governments did.

9.2.1 Return to the classical social partnership?

Generally it is not being expected that Austria will return to the classical model of social partnership as it was exercised until the nineties of the past century. For this the circumstances have changed too much since then.

³⁸ See e.g. *Delapina*, Entwicklungstendenzen der oesterreichischen Sozialpartnerschaft, in: *Wirtschaft und Gesellschaft*, special edition, *Die Reform der AK und ihr gesellschaftspolitisches Umfeld* (2002) 105 ss (109 ss); *Karlhofer, Tálos*, Sozialpartnerschaft und EU (1996); *Kienzl*, Sozialpartnerschaft Gestern – Heute – Morgen (2005) 171 ss; *Tálos*, Vom Vorzeige- zum Auslaufmodell. Oesterreichs Sozialpartnerschaft 1945 bis 2005, in *Karlhofer, Tálos* (Ed), *Sozialpartnerschaft. Oesterreichische und Europaeische Perspektiven* (2005) 185 ss (208 ss).

9.2.2 Massive further reduction of the social partnership?

Agreement has been reached widely also upon the fact that in the coming years presumably there will not be a massive further reduction of the social partnership or a drifting off of the social partnership into meaninglessness at all in Austria.

9.2.3 Middle course: “social partnership light”

The predominant assumption – which I share myself – is that the future development of the Austrian social partnership will turn to a middle course. *Karlhofer/Tálos*³⁹ have described it quite illustratively with the following words:

“The social partnership will persist – with considerable modifications. Social partnership will no longer [...] be a political ‘broadband-model’ but will be limited in its range of action. The co-operation and common co-acting of the social partners concerning the decision-making processes will on the one hand be reduced to specific fields (as especially wage, economic, social and environment policy); and on the other hand social partnership policy will increasingly turn to the economic environment and by that it will focus on supply-oriented allocative functions and qualitative aspects (education, technology, investment).

So the future will not bring an end of the social partnership, but a change of it towards a ‘moderate’ model of corporate interest policy: with a limitation of the range of action and of the importance of the adjustment of interests for the Austrian politics on the one hand and a partly structural and functional change on the other hand”.

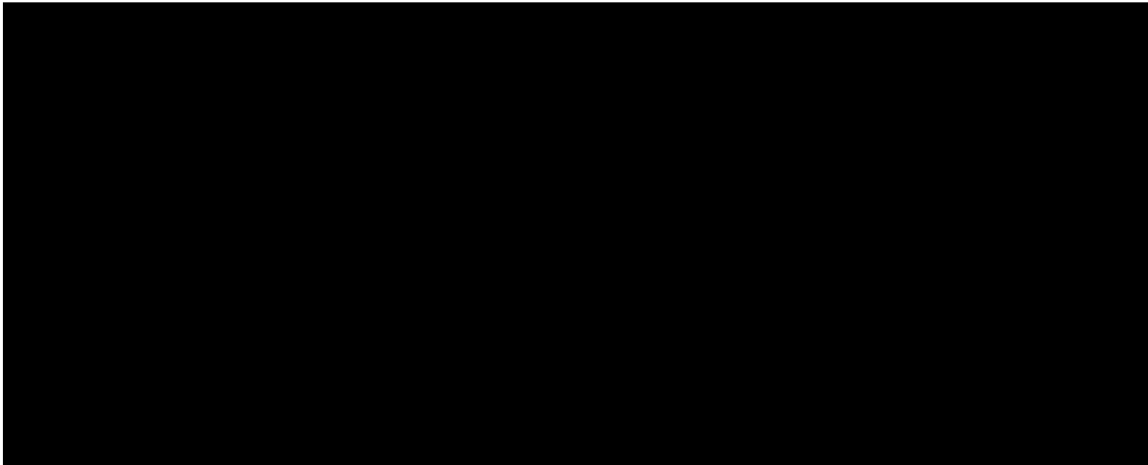
How this development in the scope of a middle course will look like in the coming years in detail, will be influenced decisively by the result of the national elections on October, 1st 2006 and by the question, which government will be formed after these elections and by the position of the future government towards the practice of social partnership.

³⁹ Sozialpartnerschaft und EU (1996); *Kienzl*, Sozialpartnerschaft Gestern – Heute – Morgen (2005)

179 s.

10 Final remark

The appellation "social partnership light" for the expected form of social partnership is only an adequate one, when Austrian standards are applied. Considering the international comparison the relevance of the social partnership in Austria will also be a rather great one in the future. This applies both to the comparison of the Austrian situation with the situation in other European countries and even more to comparisons with the situations in countries beyond Europe.



奧地利的社會夥伴關係

Prof. Dr. Gustav Wachter

王惠玲 譯

前言

各位先進、各位女士、各位先生、以及在座的諸位貴賓，首先，非常高興能有機會在“廿一世紀社會夥伴關係之展望”這個國際研討會中發表論文，同時也要向邀請我參加這個重要國際研討會的台北的朋友們，尤其是黃越欽教授，致謝。

我的報告是針對奧地利的社會夥伴關係。

奧地利社會夥伴關係的模式，被認為是歐洲最深入、最穩固，範圍也最廣泛的社會夥伴關係的形式。一般咸認為，奧地利傳統型態的社會夥伴關係，是第二次世界大戰後，奧地利社會與經濟發展的基礎。同時奧地利社會與經濟的成功發展，與奧地利型態的社會夥伴關係相互關聯，此點也經常受到強調。Delapina 曾表示：

“奧地利從第二次世界大戰的廢墟中站起，成為世界上最富有的國家之一，與奧地利特殊的社會夥伴制度有根本的關聯性，這個制度遠超出勞資關係，亦即藉由集體協商工資與勞動條件，的基本範圍。尤其經濟與社會的穩定更可歸溯於此一制度，其係構築於大型且涵蓋廣泛的經濟上利益團體之上：幾乎所有職業團體都以法定強制入會方式，組織成為自治的公法人；而奧地利工會聯盟則採取自由入會制，並成為含括各業別工會的保護傘組織。

這個有著高度代表性與民主正當性的廣泛組織型態，正是內部與外部利益平衡的要素。與國會政黨之政策相反，並非以每四年循環的選舉為目的，因此可以揚棄片面的最終策略以及施政目標與總體經濟政策。其制度整體以及其理想均具有穩定性，從而產生可信賴性以及可預期性，藉此不論個體經濟或總體經濟之成本均

因而降低。 “

自第二次世界大戰後以迄上世紀末九〇年代中期，上述論點誠然屬實，其後社會夥伴關係之重要性則逐漸降低，其主要原因為：

- 奧地利經濟的國際整合，以及奧地利經濟所面臨的國際競爭壓力，日益增加〈此一因素嚴重縮小了內國運作之空間〉。
- 奧地利在 1995 年加入歐洲聯盟〈於此同樣限縮了奧地利在許多方面自主行動的空間〉
- 2000 年以後政府的變動，人民黨與自由黨共同組閣後，不顧其對社會夥伴的口頭承諾，並不像過去政府那樣重視社會夥伴關係在社會與經濟政策上的重要性，此在許多方面背離了過去數十年來協調與協商式的民主。

奧地利社會夥伴關係的未來為何，將於下文中稍後敘述之。

但在此之前必須先探討奧地利社會夥伴關係之重要因素，由於時間上之限制，無法針對奧地利社會夥伴關係的歷史加以敘述，同時由於社會夥伴關係制度的複雜性，以下僅能擇要概述之。

壹、 奧地利社會夥伴關係之特質

社會夥伴—或稱為經濟與社會夥伴—是雇主與勞動者之利益團體與政府在經濟與社會政策上合作之制度，亦即各大利益團體之間以及其與政府間之合作。

此一制度的基本理念乃在於，就基本的政策目標，包括：

- ◆吸引企業投資
- ◆增加競爭力與創新
- ◆改善生產力

◆充分就業

◆提高實質所得

◆健康與社會安全

◆外匯與貿易平衡

◆穩定物價與環境保護

毋寧透過社會上主要的利益團體藉由協調程序，而非以帶來國家經濟上損失之衝突方式，如勞資爭議行為，加以達成。

前總理克來斯基將之稱為“透過社會夥伴關係昇華的階級鬥爭”。

以協商來解決衝突的模式，在奧地利較其他國家易於實施，因為由於一元化的組織型態使協商者的數目相當少，組織的持續性相當強，而其所代表之利益涵蓋範圍甚廣。

在經濟與社會議題上合作的制度，通常稱為「社會夥伴」關係，是自願性的性質。經過長久的發展，這種不同利益團體間的合作，大多為非正式性質，並無法律規範。

社會夥伴關係並不僅止於處理勞資關係。團體協約由雇方當事人，通常為聯邦經濟總會下屬的相關行業支會，與勞方當事人之聯邦工會聯盟，進行協商。估計有90-95%的私部門勞工涵蓋在團體協約之下。而社會夥伴關係與其最主要差異在於，其協商範圍實務上延伸至所有經濟與社會政策。因此奧地利被視為統合主義的極佳範例，亦即，團體的利益受到廣泛且平等的代表。

社會夥伴關係的要素為主要四個利益團體承諾追求共同的長期經濟與社會政策目標，以及渠等確信，藉由對話所帶來的合作與協同行動，相較於公開的衝突，更有助於政策目標之達成。

但社會夥伴關係並非否認或忽視利益衝突，而是尋求使各參與者皆能獲益的解決方案，維持妥協的意願，以平衡不同的經濟與社會利益的一種方式。

貳、 衝突處理的特殊文化

在社會夥伴間的合作的有效基礎—亦即社會夥伴在 1992 年 11 月 23 日簽訂之協定—對於以社會夥伴制度處理衝突的特殊文化，有以下描述：

“社會夥伴關係的特質在於：特殊的討論與協商的文化，參與主體內部與外部的妥協意願，以及代表不同利益的同時並考慮到中程的共同目標與社會整體利益。其係以長期持續的討論與經常交換資訊為先決條件”。

參、 社會夥伴關係的目的

上述協定中有關社會夥伴關係目標的重要敘述，至今仍可適用：

“基於自願性原則的社會夥伴間之合作，一向出於確信共同的努力是追求與達成國家快速成長與提高所得的最好方法。其致力之基本目標在於貨幣的穩定與生產之促進。

當前國際經濟的發展的主要趨勢為：競爭全球化、服務業自由化、區域整合以及貿易區域的聯合策略。自然資源的妥善管理乃全球共通之觀念。此外國際與歐洲政治上的轉變以及財富的縮減，也造成移民的風潮。

上述發展對奧地利政治與經濟政策帶來多方面的挑戰，這些挑戰也產生對於社會夥伴就其合作目標與方式重新協商的期待：

- 財富與生活水準的質的成長，應盡量與生態關懷共容，並創造環境再生的資源。
- 共同致力於充分就業，對於勞動市場上之特殊問題需要特別的考量，並促進問題族群如高齡、青年與女性之就業。。

- 以適當的政策維持經濟的穩定，包括所得、競爭與貨幣政策。
- 為達成既定目標，須維持奧地利經濟上的國際競爭力。為此必須努力提高投資水準，擴大開發研究，持續改善生產力的質與量，並致力於良好的基礎建設。
- 在社會夥伴的目標以及衝突處理的策略方面，應藉由共同與積極合作，廣泛參與國際尤其是歐洲的整合，並期待政府對此之支持。
- 支持奧地利經濟的國際化。
- 促進奧地利人力資源的技能發展，社會夥伴面臨教育與訓練的特殊挑戰。
- 維持與改善人性化的工作環境，並繼續維護奧地利社會結構的平衡。

為保障奧地利中程的競爭力，必須堅持以合意方式決定奧地利的經濟與社會政策。過去數十年的經驗顯示，社會和平不但就其本身而言極具價值，更是國際競爭上一項相對優勢。

社會夥伴的合作，其目的在於達成中程經濟政策的持續性與經濟發展。

在經濟政策方面，生態環境因素已佔有重要的一席之地。社會夥伴經由其經濟與社會事務諮詢委員會的研究，對此一議題早有認知，同時也共同提出解決方案的指導原則，未來也將更為強調生態環境政策。

由於農產品貿易自由化，農業面臨特別困難的狀況，包括主要產品的價格壓力，生態環境的挑戰，以及轉化為服務功能等。社會夥伴支持大型農場式的農業與林業經營，並積極找尋解決現有問題的方案。”

肆、 面臨的挑戰

上述協定提及社會夥伴目前面臨的挑戰如下：

“未來數年社會夥伴將面對。來自於國際化、整合、中歐與東歐開放，以及有關勞動市場、移民、教育與環境政策等各方面的挑戰。

就傳統範圍內的所得政策〈工資與物價政策〉方面，社會夥伴則仍持續面臨相關問題，並在前述經濟與社會政策目標下共同討論並尋求解決方案。

社會夥伴希望能繼續參與社會安全以及農業市場方面的立法，也希望在勞動市場行政方面建立新的組織模式。

社會夥伴將繼續參與立法草案的諮商，以期透過經驗的提供與其會員利益的表達，尋求妥當的解決方案。

與其會員利益切身利益有關，但卻高度意見紛歧的事務，在政策考量時應將社會夥伴納入，尤其是有關社會政策，特別是健康保險與年金保險，老年保障相關規定，勞動法規等。

長期而言，社會夥伴關係的成功，有賴於強大且經濟獨立的主體，因此社會夥伴將致力於內部利益的協調，並維持強制入會原則。

為使會員與社會大眾能接受強制入會制，應致力於改善內部民主，嚴格的內部管控，以及更高的透明度。同時，社會夥伴關係也意味，這種衝突處理的方式不應侷限於聯邦層次，而應及於企業與地方層級，甚而提昇至國際層級。”

在締結上述協定十四年後，當初所提的大多數挑戰仍然繼續存在，值得吾人深思。

伍、 社會夥伴關係之當事人

與政府相對的社會夥伴包括：聯邦經濟〈工商業〉總會、勞動協會聯邦總會、奧地利工會聯盟以及奧地利農業總會。

一、 聯邦經濟〈工商業〉總會（**Federal Economic Chamber**）

有關經濟協會（economic chamber）的組織相當複雜，每邦各設一個，共有九個經濟協會。這些協會含括奧地利各行業支會所屬之企業，凡經營協會所涵蓋行業之企業需強制入會，登記為該支會之會員。九個邦經濟協會再整合成為一個中央

層級的組織，即聯邦經濟總會。

經濟協會之目的在於代表其會員的共同利益。

經濟協會具有法人資格，具有協約能力，同時得在勞動法院之訴訟程序中代表其會員。

尤有甚者，經濟協會得審查立法草案並提出意見：在法案提到立法機關之前，必須交付有關之協會，並給予其適當期間進行審議。在歐盟範圍內之所有立法計畫，均應立即告知聯邦經濟總會，並給予其適當期間以提出有關歐盟指令、規則或建議書之草案的意見。

二、 勞動協會聯邦總會（**Federal Chamber of Labour**）

勞動協會的組織亦相當複雜，九個邦各設一個勞動協會，除公務員或私人企業中屬經理人職位者，所有受僱者均有義務加入為會員。九個邦協會結合成為“聯邦藍領與白領勞動者協會”，亦即聯邦勞動協會，以處理聯邦層級的勞動問題。雖然勞動協會得為其會員進行團體協商，但已將此一權限完全交付工會。協會自居為勞工運動的思想先鋒，其主要功能在於藉學術的資料與論證提供工會政策作為基礎。作為工會運動的頭腦，協會出版無數書籍與期刊，並熱心於消費者保護。與其他協會相同，對於影響其會員利益之法案，提交國會審議之前，必須交由其諮商。在許多政府機構中，以及社會安全制度架構中的相關委員會，協會均有代表參與。勞動協會如同奧地利工會聯盟延伸的手臂，承擔一些較昂貴的活動。

三、 奧地利工會聯盟（**Austrian Trade Union Federation**）

奧地利工會聯盟為奧地利最強大的自願性組織，也被認為是最中央集權化的工會。與其所屬工會不同，其最初即為權集中之組織型態。在工會聯盟的章程中規定，十二個下級工會並無獨立法人格，他們僅係聯盟的支會，且依法僅得為聯盟之利益行動（雖然實務上他們以自己的名義運作）。聯盟得募捐、設定會費並管

理工會基金，但給予下屬工會相當程度的獨立性。

奧地利工會聯盟與雇主、國家及政黨相對，代表其會員經濟、政治、社會與文化上之利益。

奧地利工會聯盟最主要的任務為：

1. 代表所有勞動者之利益締結團體協約、提出法規建議並對涉及勞動者之社會政策與立法草案提出意見。
2. 在社會夥伴關係架構下行使共同決定權。
3. 促進社會改善，維護與促進社會安全。
4. 促進充分就業，維護實質工資所得，致力穩定物價與經濟成長。
5. 勞動環境的人性化等。

四、 奧地利農業總會（**Presidential Conference of Austrian Chambers of Agriculture**）

奧地利在農業與林業方面亦設有協會。依聯邦法律各邦均設有農業協會，但因憲法上因素無法設置聯邦層級的組織，但九個邦協會仍然依聯邦法律共同成立上級組織，其正式名稱上並不稱為農業總會而是農業協會理事長會議。其會員除邦協會外尚包括奧地利鋼鐵業協會。

此一組織之主要任務在於支持總體經濟上有關農業與林業目標，並代表其共同利益。農業總會與聯邦經濟總會及聯邦勞動協會的法律基礎不同，但其角色則類似。

陸、 評議委員會

社會夥伴關係的核心機構為“物價與工資評議委員會”。此委員會在 1957 年成立，原係作為勞雇間合作的暫時性組織，但很快轉變為社會夥伴關係的核心機制，並一直存續至今。

評議委員會過去主要針對平抑物價與對抗通貨膨脹，但現在已成為社會夥伴與政府對話的制度化機制。尤其是共同策略、協同行動以及可能的衝突，此外經濟與社會事務委員會的建議，均在此加以討論。

一、 委員會之組成

評議委員會主要由政府最高層級代表與前述四大利益團體之代表所組成，主要包括：內閣總理、三位部長、前屬利益團體之理事長或其代表以及相關政府官員。

在委員會中只有四大利益團體具有投票權。

正式的決議由評議委員會作成，但前置準備則由次級委員會負責。

二、 次級委員會

評議委員會下設四個次級委員會，即經濟與社會事務諮詢委員會、國際事務委員會、工資委員會、公平競爭與物價委員會。

在上世紀七十年代，工資委員會、公平競爭與物價委員會以及評議委員會本身主要為管制物價與對抗通貨膨脹的工具，但九十年代以後由於法令管制其價格或費率的貨物大量減少，因此上述二委員會以及評議委員會的重要性隨之降低。

1、 經濟與社會事務諮詢委員會

經濟與社會事務諮詢委員會由四大利益團體的代表組成，其成員主要為專家以及兩位執行委員，一位由經濟總會、另一位由勞動協會總會所指派。

經濟與社會事務諮詢委員會的任務為，依社會夥伴或政府要求，研究調查經濟與社會議題，並提出社會夥伴的共同建議書。上述研究通常由政府、學界與企業界各方面的專家組成任務小組加以執行，找尋共同的基礎、提出事實與數據，並客觀的針對經濟政策進行辯論。

由經濟與社會事務諮詢委員會擬定的建議書由評議委員會送交聯邦政府，因此經

濟與社會事務諮詢委員會是在社會夥伴控制下的政府有關經濟政策的諮詢機構。

2、 國際事務委員會

本委員會處理有關歐洲整合相關問題，由十六名代表組成，每個利益團體各指派四人。

本委員會主要處理奧地利整合於歐盟之相關問題，包括現代化、競爭力以及奧地利經濟法規與歐盟法規之關係〈自由化與法規鬆綁等〉。

一般認為，參與歐洲以及國際利益團體之諮商與決策日益重要，因此應簡化並協調國際參與的程序。

3、 工資委員會

工資委員會完全由社會夥伴的代表組成。

此一委員會在提高團體協約所約定的工資之協商時，有特定的關聯性。當特定的工會想變更團體協約有關工資之約定時，需透過奧地利工會聯盟與評議委員會間接向工資委員會提出申請，由工資委員會決定是否得進行協商。工資委員會同意其協商者，雙方當事人嗣後應將協商結果通知工資委員會。但無論如何工資委員會並不能影響團體協約的內容。

由前述可知，工資委員會對工資政策僅有間接的影響力。工資委員會的重要性在於其可藉由協商許可決定集體協商的時程，至於協約內容則由協商雙方當事人決定，因此工資委員會並不主導實質協商。

4、 公平競爭與物價委員會

公平競爭與物價委員會由四大社會夥伴與財政、經濟兩部的代表組成。

此委員會之重要性如同前述，在上世紀末已大幅降低。現今其主要功能在於競爭的管制，以防止藉由市場上之優越地位壟斷價格為目的。

特定情形下此委員會得請求聯邦經濟部重新設定物價管制規定，或交由禁止壟斷機關審查。

柒、 社會夥伴之其他活動

除上述之外，社會夥伴在各方面被納入奧地利的政治架構內：

立法方面：社會夥伴的代表得評估立法建議、向立法機關提出建議、並就與社會夥伴直接相關之事項〈社會福利與勞動法等〉直接提出立法草案。

行政方面：社會夥伴在政府的許多委員會或諮詢委員會等均有代表參與，因此對許多事務都具有影響力，例如：學徒制度、勞動檢查、原產地證明之簽發、公平競爭與反壟斷政策、勞動市場政策以及國家資助的計畫方案等。

司法方面：社會夥伴得提名勞動法院之參審〈非職業〉法官，以及在公平競爭法院指派鑑價員。

社會夥伴在社會安全制度中扮演重要角色。社會保險機構為依公法成立之自治法人，由社會夥伴指派代表經營管理。

社會夥伴的任務尚包括，就其專長領域內進行非正式協商與解決問題，例如勞動法與社會福利，以及營業規範與親屬法，在這些領域中，社會夥伴的合意通常是政治層面得以適當解決的先決條件。

捌、 社會夥伴關係之評價

對於社會夥伴關係的評價，在聯邦經濟協會理事長最近發表的文章中，有精確的描述：

“社會夥伴制度的主要價值在於，提供客觀釐清經濟與社會政策上難題的可能性，提出意見以及在必要時達成妥協方案。如能達此，對國家為深具價值的幫助，並擁有穩定的總體經濟。

社會夥伴關係也由於透過社會夥伴間之合作，激發經濟生活中各個重要的團體的共同責任，而別具意義。此種型態的合作關係，可避免經濟與社會環境的不安定。

此一制度帶來高度的社會和平，並對奧地利的投資環境有正面的影響。這是一項傲人的成就，未來也不應拋棄此一制度。 “

舉例而言，奧地利每年每人之罷工時數係以秒計算，而此種穩定性正是企業設立的重要因素，尤其在全球化、網路化的世界，可信賴度更是決定性因素。

另外一個例子則是團體協約傾向以發展生產為考量。社會夥伴以生產力為導向的工資政策對於競爭力的提升，以及伴隨而來的實質工資所得與就業的正面發展，具有重要貢獻。

玖、 社會夥伴關係之未來

有關社會夥伴的未來在奧地利有深入探討。

一、 歐洲層級

主流意見認為奧地利社會夥伴制度 1960/70 年代建立時的型態，並不具備歐洲視野。雖然在歐盟層級已整合於歐洲商會聯合會、歐洲公營公用事業組織以及歐洲工會聯合會，並進行良好的社會對話，但其本質上仍於奧地利式的傳統合作模式不同。因此一般並不期待歐盟層級的社會對話的發展可能性，以及如同奧地利統合模式一般，共同合作與共同形成重要政策。

二、 國家層級

在國家層級主要要有三種型態受到討論：

- 傳統社會夥伴關係的復興；
- 降低社會夥伴關係，但同時意謂衝突的增加；
- 中庸之道，所謂「低度社會夥伴關係」。

在猜測何者最爲可能時，必須過去十年對降低社會夥伴關係重要性的因素有所認知，且這些因素未來仍然存在：

1. 奧地利經濟的國際整合。
2. 國際競爭壓力。
3. 奧地利作爲歐盟會員國導致獨立運作空間大幅縮減。

此外，奧地利社會夥伴關係重要性降低的主要原因可說是自己製造的，因此必須視未來奧地利的發展而定。這個原因就是目前的政府不再像過去政府一樣，強調社會夥伴在社會與經濟政策之共同參與。

1、 回歸傳統社會夥伴關係？

一般而言，大多數看法並不認爲奧地利社會夥伴關係會回歸上世紀末以前的傳統模式，因爲環境已有極大的改變。

2、 社會夥伴關係之大幅縮減？

多數也同意，在未來數年間社會夥伴關係並不會大幅縮減，或者社會夥伴關係在奧地利將不具任何意義。

3、 折衷之道：“低度社會夥伴關係”

多數見解，包括筆者在內，認爲奧地利社會夥伴關係未來將朝向中庸之道發展。

Karlhofer/Talos 對此有以下說明：

“社會夥伴關係將會持續—但有一定程度的修正。社會夥伴關係不再是政治上的大合唱團模式，其行動範圍將受到一定的限制。社會夥伴在決策過程中的共同合作與共同行動，一方面將限縮在特定範圍，如工資、經濟、社會與環境政策；另一方面則增加對經濟環境政策的重視，因此焦點將在於以供給爲導向的分配功能以及質量問題，例如教育、科技與投資。

因此社會夥伴關係未來並不會結束，而是改變為“有節制的”利益合作模式：一方面在其行動範圍與政策利益調整的重要性上受到限制，另一方面則在架構與功能上有所改變。”

這個中庸之道未來如何發展，將會受到 2006 年 10 月 1 日大選結果，以及選後政府之組成以及其對社會夥伴態度的影響。

拾、結論

所謂「低度社會夥伴關係」係以奧地利標準而論，如以國際比較之觀點而言，在歐洲國家中，奧地利社會夥伴關係未來仍具相當重要程度，如與歐洲以外國家相較，奧地利社會夥伴的地位更為其遠不可及。