

Social Dialogue and Collective Bargaining in the Green Transition in BWI Sectors

An analysis of International Framework Agreements and Collective Bargaining Agreements



BWI
Building and Wood
Workers' International
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**Laudes ———
—— Foundation**

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Foreword



The climate crisis is an existential threat to our planet and to workers around the world. Climate injustice and privilege will prevail if the transition is left to market forces alone or is only based on ecological considerations.

Responding to the climate crisis requires a Just Transition where workers have an organised voice in planning the transition; where jobs, incomes and livelihoods are protected and where new, decent jobs are created. Crucially, a Just Transition (JT) requires a fundamental socio-economic transformation

of the global economy towards a more equal, just and sustainable world with the rights and interests of workers at the centre.

Governments and companies cannot deliver on a Just Transition without meaningful involvement of workers, dialogue and bargaining with unions. Unions can define visions and strategies for a pro-labour JT as alternatives to the neoliberal strategies that have accelerated climate change, extracted wealth from workers and diluted labour protections.

Building and Wood Workers' International (BWI) represents workers in construction, wood and forestry and building materials. They work in industries which are among the highest emitters of greenhouse gases in the world, but they also have a central role to play in achieving Net Zero.

BWI has identified 'Fighting for Climate Justice' as the first of 5 priority areas of action in its Strategic Plan (2023-26)¹. This includes taking action to campaign, influence and bargain for a Just Transition at multiple levels, including through International Framework Agreements (IFAs) with Multi-National Companies (MNCs). The inclusion of Just Transition issues within IFAs in BWI sectors provides useful examples of achievements and real changes for workers that can show the way forward for future agreements or negotiations. BWI, together with its affiliates, intends to explore possibility to strengthen the provisions on a Just Transition within IFAs and further increase their effectiveness.

Ambet Yuson

BWI General Secretary

1 <https://congress.bwint.org/attachment>

Methodology

This report is designed for trade union leaders, workers' representatives and organisers at the workplace and in various networks in BWI's sectors to support them advance social dialogue and collective bargaining on a Just Transition, particularly with MNCs.

The findings and recommendations in this report are based on a literature review of reports and studies from BWI, affiliates, academics, and the ILO.

BWI's active IFAs were reviewed, alongside a selection of relevant collective bargaining agreements at national or sectoral level which were made available by affiliates. The literature review was supported by a series of interviews with representatives of BWI and affiliates, other Global Union Federations and academics.



Climate Change and Just Transition in BWI's Sectors

As one of the largest greenhouse gas emitters, the building and construction, forestry and wood, and building materials sectors play a crucial role in cutting emissions, reducing the use of fossil fuels-based materials, preserving the ecosystem and biodiversity, increasing the use of renewable energies in building renovation. To enable a just transition, however, climate objectives alone are not enough. To support a more sustainable, just and climate resilient built environment, the principles of equity, justice and fairness should be embedded in climate policies and the voice of workers, who eventually, will be the ones delivering the transition through their work, should be raised through collective representation in the workplace.



A Just Transition in building and construction requires workers to have an organised voice in planning and delivering a rapid, radical and multi-dimensional process to achieve a greener and fairer built environment which protects jobs, incomes and livelihoods and enables decent working conditions for all.

Some of the key issues for unions seeking to achieve a Just Transition include:

Adapting to Climate Change

The climate crisis is causing significant changes to our natural environment. Increasing temperatures, rising sea levels, natural disasters and an increase in extreme weather events such as heat and cold waves, flooding, droughts and fires are all having an impact on workers in BWI's sectors. By anticipating the impact of these changes on workers, unions can act to prevent and mitigate harm to their health and livelihoods.

Decarbonisation and Green transition

While companies and governments bear the primary responsibility for addressing the climate crisis, workers have the power to raise their voice and ensure that they have control over what they do, where and how they do it, and that their interests and contributions are taken into consideration. They can provide the expertise to plan and manage this transition, giving an alternative vision for the future of their workplaces and industries which protects our planet and provides decent jobs.

A workers' centred model

The standardisation of building techniques and materials, undervaluing of local and indigenous knowledge and skills, deforestation and lack of green, affordable housing, all reflect the short-terms, profit-driven logic of neoliberal capitalism which drives the climate crisis (BWI 2015). This model will not solve the problems it has created. A different model and a different narrative, designed and led by workers and for workers and where workers can have their say and influence decisions regarding their future, is a more sustainable way to pursue both environmental and social progress.

Employment Relationship

Work in building and construction is often characterised by indirect and informal employment relationships, particularly in construction and forestry. This poses a significant barrier to a Just Transition, as indirect and informally employed workers are at risk of being denied protections during transition processes, struggle to access skills building opportunities and often lack an organised voice to protect their interests. Formalisation of work through secure, direct employment is therefore essential for a Just Transition in BWI sectors.

Occupational Safety and Health

Workers in BWI sectors face increased occupational risks and health hazards due to climate change. Increasing temperatures, extreme weather, fires, chemical exposure and air pollution all pose risks to workers including workplace injury, exhaustion and serious illness. Anticipating and planning for these risks is crucial in order to protect workers safety and health.

Learning, Training and Skills

The green transition will require workers to adapt to new technologies, materials and work processes across BWI's sectors alongside increased respect and utilisation of local and indigenous knowledge. This transition must be planned with protections and pathways for workers to develop the skills they need.

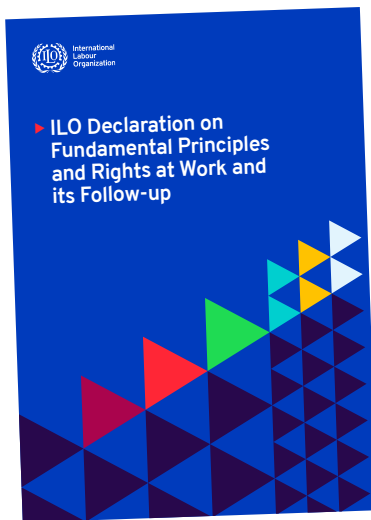
Social Protection

Green transitions result in significant changes to workers' jobs and livelihoods. Workers whose jobs are impacted by the climate crisis and transitions to greener technology, approaches and materials must have their incomes and livelihoods protected as part of a planned transition. Also impacted by weather event, working hours might be intermittent and workers need protection against the risks that a system of broken shifts can have on their working conditions: reduction of working hours can result in wage loss; extreme flexible hours may have a negative impact on their time sovereignty and work-life balance.

Trade Union Rights

Trade Unions must be at the centre of a planned transition. Repression of the right to organise and bargain threatens the ability of workers to achieve a Just Transition. Even when unions are at the bargaining table, employers often treat environmental issues and decarbonisation processes as outside the scope of bargaining. A Just Transition will not happen without strong unions who bargain based on a transformative vision for the future of our built environment.

International Framework Agreements (IFAs)



International Framework Agreements (IFAs) are negotiated between Global Union Federations and Multinational Companies (MNCs) and require the company as a minimum, to respect international labour standards throughout their operations.

The provisions included in IFAs vary depending on the nature of the company and the sector, but all companies commit to at least respect the ILO Fundamental Principles and Rights at Work and Core Conventions – freedom of association and collective bargaining, non-discrimination, and equal opportunities, no forced or child labour and a safe and healthy working environment. Most IFAs also include provisions on related workers' rights, such as decent wages and working conditions, and on specific issues relevant to the sector.

Most of the recent IFAs includes implementation measures and mechanisms, for instance, through joint monitoring committees, which meet at least annually to review implementation, and usually include procedures for dispute resolution. Some IFAs also require dissemination of information about the IFA at all levels of the company and union, awareness-raising training and joint monitoring inspections to workplaces.

BWI agreed its first IFA with IKEA in 1998 and has now expanded to 22 active IFAs with MNCs, mostly based in Europe but with operations worldwide. BWI uses IFAs to gain access to workplaces throughout the MNCs operations, including subsidiaries and suppliers, to initiate dialogue and guarantee a minimum level of international labour standards for workers (BWI 2013).

In countries where there is poor or lack of enforcement of ILO core labour standards, IFAs can act as a tool institutionalising dialogue and bargaining between unions and MNCs (Fichter and McCallum 2015).

Key to implementation of IFAs is the engagement and buy-in of the counterparts, as well as the level of awareness about its provisions across the MNC subsidiaries.

As part of its priority to tackle the climate crisis, BWI aims to expand the scope of the IFAs to include Just Transition provisions, as it happens already in some IFAs and with numerous Collective Bargaining Agreements (CBAs) at national and sectoral levels, some examples of which are provided in this report.



International Framework Agreements and Just Transition

BWI and affiliates have pursued International Framework Agreements (IFAs) and Collective Agreements to support the occupational safety and health of construction workers during extreme temperatures and in providing social protection when the weather makes work dangerous.

BWI's IFA with Belgian construction company BESIX includes two provisions related to climate adaptation. Joint inspections have enabled BWI and affiliates in Belgium to visit and engage with Six Construct, BESIX's subsidiary in the Middle East, to promote the rights of workers in Qatar, the United Arab Emirates and other countries in the Gulf and Africa, including in relation to heat stress and OSH.

BESIX International Framework Agreement

Protecting the Safety and Health of Construction Workers in the Middle East from Extreme Temperatures

In 2017, BWI and affiliates ACV-CSC and FGTVB signed an IFA with BESIX Group – a Belgian construction group. One of BESIX Group's subsidiaries, Six Construct, was appointed main contractor for the construction of two stadiums for the 2022 FIFA World Cup in Qatar.

“...organization of sites in such manner that all basic welfare elements are available, including an adequate supply of wholesome drinking water, sanitary and washing facilities, facilities for changing and for storage and drying of clothing, accommodation for taking meals and sufficient shelter for climate conditions...” - IFA with BESIX Group

“...regular information to employees and workers on how to avoid climate related diseases, i.e. heat stroke, sun burn...” - IFA with BESIX Group

Representatives of BESIX, BWI, the BESIX European Works Council and BWI affiliated unions completed 4 joint monitoring inspections to Six Construct construction sites in Qatar from 2017-2019. The BESIX IFA also coincided with the signing of a Memorandum of Understanding (MOU) between BWI and the Qatari Supreme Committee for Delivery and Legacy for the World Cup in 2022.

The Joint inspections emphasised heat stress as a matter of serious concern on construction sites in Qatar, with links to occupational illnesses, injuries and fatalities. In line with provisions on OSH in the IFA, BWI and affiliates were able to support improvements in working practices and OSH, including the provision of cool and shaded rest areas, water stations with cool water and rehydration salts, and mandatory water bottles and cooling gear for each worker. The reference group also discussed how to adjust working time and shift patterns so that work happens outside peak hours and supported efforts to adapt safety helmets to the heat and encourage workers to wear them.

BWI and affiliates are now exploring opportunities to add provisions on Just Transition in the current IFA.

“In the near future, BWI needs to revise its IFAs. As BESIX aims to play a leading and innovative role in reducing the environmental impact of the construction sector, the reference group submitted a text to the multinational calling for the recognition that just transition is accompanied by a more sustainable, inclusive mode of social development in terms of social protection, diversity and skills development, which applies to its employees worldwide.” – Pierre Cuppens, ACV-CSC BIE General Secretary

The agreement between BWI and QDVC and Vinci also provides a good example of health and safety provisions related to heat.

The **“Heat Stress Prevention programme”** is part of a yearly plan to provide workers with extra training and implement special measures during the summer period. Special measures are activated based on a heat index and include for instance: stop working when the Bulb Globe Temperature (WBGT)² exceeds 32.1 degrees, adapt working hours and suspend work during hottest hours of the day, and take extra breaks in shaded and ventilated areas.

In November 2017, BWI signed an agreement with QDVC (a Qatari shareholding company with two shareholders: Qatari Diar Real Estate Investments Company and VINCI Construction Grands Projects) and VINCI, a French-based global player in concessions and construction.

The agreement covers human rights at work, accommodations, and issues related to fair recruitment and employment rights of workers. It applies to all workers employed by QDVC in Qatar and includes due diligence with sub-contractors.

The agreement foresees an extensive system of follow-up, reporting, monitoring, inspection, and auditing under the authority of a reference group composed of representatives of the three parties. All aspects of the implementation of the agreement are reviewed by the parties.

The agreement provides for specific measures on health and safety and heat:

“Special measures regarding the summer season in Qatar are deployed on a yearly basis, including a Heat Stress Prevention Programme, extra training, dedicated toolbox talks, adapted working hours and specific procedures to stop work when the heat index, which monitors both the temperature and humidity levels, rises above a specific level. In addition, QDVC will comply with the legal requirements of a mid-day break during the summer months.”

Two audits have been carried out so far, respectively in [2019](#) and [2021](#), and conducted jointly by BWI, company’s representatives and BWI French affiliates covering recruitment and employment practices, health and safety, working conditions, accommodation and grievance mechanisms for all QDVC workers. Both Audits emphasize QDVC’s fair recruitment and employment practices, the good level of health and safety observed at its sites including the integration of health and safety policies across QDVC’s operations, leading to remarkable safety records and the safeguarding of workers’ rights. BWI and French affiliates provided recommendations on areas for improvement.

Several BWI affiliates in Europe – including in Austria, France, Germany, Italy and Switzerland – have also negotiated provisions within collective agreements to protect the health, safety and livelihoods of workers from extreme weather conditions.

These agreements provide protocols and special protection measures for when construction work needs to stop due to extreme weather and/or temperatures, often based on readings from an official weather agency or a weather index, or a dedicated application, and establish social protection schemes to compensate workers for lost working hours and income, usually funded by contributions from the employer and/or government. In some cases, the agreements also require employers to adapt workloads, working conditions, working shifts and hours during extreme heat, and provide adapted protective equipment and facilities for workers to protect their health and prevent sickness or disease due to long exposure to heat.

“Members tell us it is getting hotter every year. There is an increasing number of days when it is too hot to work on the roof. That is why IG BAU put this issue on the bargaining table.” – Antonius Allgaier, IG BAU, Germany

2 The WetBulb Globe Temperature (WBGT), a measure of the heat stress in direct sunlight, which takes into account temperature, humidity, wind speed and visible and infrared radiation on humans.

UNIA – Protection from Extreme Weather for Construction Workers in Switzerland

Collective Agreement in the Vaud Canton

In 2016, BWI affiliate UNIA agreed a collective agreement with the regional government and employer's association in the Vaud Canton of Switzerland to protect construction workers from the impact of extreme weather.

The agreement ensures that when construction stops due to extreme weather – such as snow, heavy rain or extreme cold – workers will receive financial compensation for the lost hours of work. The compensation comes from a tripartite fund paid for by the government, employers and the workers. Work stoppages are planned based on the official weather forecasts of the Swiss Federal Office of Meteorology.

The agreement does not currently cover extreme heat in the summer months, which is increasingly a concern in Switzerland, but UNIA hopes to include heat waves in its future rounds of negotiation.

IG BAU - Collective Agreement to Promote the Maintenance of Employment Relationships Outside of the Winter Period

Roofers are exposed to the weather during their work and are directly affected by the climate crisis, which is causing more extreme temperatures in the winter and summer. During the summer months, the temperature on a roof is significantly warmer than on the ground, but there is a lot of work available and refusing to work can lead to significant backlash from employers, so roofers continue to work despite the significant impact it has on their health.

IG BAU has negotiated a collective agreement with the Central Association of the German Roofer's Trade (ZVDH) to protect roofers from the impact of extreme heat on their work and livelihoods. During April-November, if weather conditions make it unsafe for roofers to work for a minimum of one hour, then the collective agreement provides 75% of their hourly wages for their regular working time up to a maximum of 53 hours per year. The employer also receives reimbursement of the social security payments owed during the same period. This agreement complements existing regulations which protect workers' income from extreme cold during the winter months, which is financed jointly by the employers and the German government.

Compensation is administered by SOKA-DACH, the social security fund of the roofing trade, and is funded by contributions from the employers. The scheme includes more than 14,500 roofing companies across Germany and provides vital social protection to more than 63,000 workers. In 2022, 13,000 workers utilised the scheme in the summer and 25,000 in the winter.

The agreement does face some challenges. Use of the agreement in the summer is lower than for the pre-existing scheme covering the winter months and it is taking time for employers and workers to become aware of their rights to access compensation. One concern for IG BAU is that the agreement relies upon the employer and workers agreeing when it is too hot to work, a system which is open to abuse. IG BAU is keen to agree a defined temperature in future bargaining rounds and are also pushing for the German government to financially support the scheme for the summer months as they already do in the winter.

GBH – Bad Weather Compensation Act for Construction Workers

In Austria, GBH and the construction employer association have agreed the Bad Weather Compensation Act for Construction Workers (BSshEG). The regulation means that when outside temperatures reach above 32.5 degrees Celsius according to the official weather agency, the employer should stop work. Construction workers are entitled to 60% of their pay during periods where work stops due to high heat. These costs are reimbursed to the employer by the Construction Workers' Annual Leave and Severance Pay Fund (BUAK) which means there is no direct cost to the employer.

BWI affiliates in Austria, Germany and Switzerland, are in discussion on how to improve their respective national regulations or collective agreements, by for instance, expanding the scope to include extreme heat and also other extreme weather events or patterns, to agree a defined high temperature for when work needs to stop, to reduce this agreed temperature in successive bargaining rounds, and to push governments to play a role in

financing the schemes. As record temperatures have been registered again over the summer 2023 and workers in building and construction are exposed to heat stress and other health related risks, many BWI affiliates have given the protection of workers against heat and extreme weather events priority in their bargaining agenda.

The IFA with BESIX and the agreement with QDVC are two examples that have enabled action to support climate adaptation. The increasing severity and frequency of extreme weather will pose significant health and safety risks and will drive up the demand for social protection schemes to protect incomes and livelihoods. This requires unions to take a long-term view on how best to support workers in BWI sectors against climate impacts, particularly in countries where workers are exposed longer to higher temperatures and where the number of extreme hot days on average is higher increasing the risk for workers' health.

Decarbonisation and Green transition

Six of BWI's active IFAs include references to the commitments and obligations of MNCs to respect the environment.

"Veidekke ensures that its activities in the best way possible are carried out with the fullest regard for the environment, including taking a precautionary approach to environmental challenges." – Veidekke IFA.

"Environmental protection: The products, production processes and services of Wilkhahn are to display the highest possible degree of environmental friendliness. The protection of the environment and improvement of living and environmental conditions is an essential corporate objective of all Wilkhahn companies." – IFA with Wilkhahn.

The joint IFA between BWI, IndustriALL, Public Services International (PSI) and French energy company ENGIE contains detailed language on decarbonisation and green transition. Explicit support for the principles of a Just Transition is included in the preamble to the agreement.

ENGIE International Framework Agreement

Green Transformation of ENGIE as an Energy Supplier

ENGIE is a French, multi-national utility company which generates and distributes electricity, natural gas, nuclear and renewable energy and petroleum. The French government retains a 24% ownership stake. BWI, IndustriALL and PSI – alongside national affiliate unions CGT, CFE-CGC, CFDT and FO – signed the most recent IFA with ENGIE in 2021.

The inclusion of "just transition" principles and policies in the IFAs is supported by ENGIE's strong company policy focusing on transitioning towards green and renewable energy. Its stated purpose is "To take action to accelerate the transition to a carbon neutral economy, through more energy-efficient and more environmentally friendly solutions." The preamble of the ENGIE IFA commits ENGIE to achieving carbon neutrality, the use of green technologies, and to the principles of a Just Transition.

"ENGIE actively supports the principles of a "Just Transition" in accordance with the guiding principles of the ILO, for a just transition to ecologically sustainable economies and societies for all. To achieve its goal of carbon neutrality, ENGIE commits to the use of clean and green technologies for itself, its subsidiaries and promotes the use of these technologies for its subcontractors. This strategy includes the development of a comprehensive Just Transition policy for ENGIE employees worldwide." – IFA with ENGIE.

The IFA also references a number of important elements of a Just Transition, including:

- ▶ A goal of achieving carbon neutrality through adopting more energy-efficient and environmentally friendly solutions.
- ▶ Social protection, diversity and skills development.
- ▶ Investment in research and development.
- ▶ Redeployment and adequate training for workers during the transition.
- ▶ Ensuring the transition is planned and agreed with unions.
- ▶ Agreeing a Just Transition policy for all ENGIE employees worldwide.

The agreement is recent, so it will require more time to assess and make conclusions on whether ENGIE is making progress on their commitments to carbon neutrality or a Just Transition.

"The IFA refers to the important components of a just transition, including that it needs to be planned and agreed with trade unions. » Yohan Thiebaut, secretary of ENGIE reference group."

Green transition as a business necessity has also been a driver for agreements at the national level. For example, BWI affiliates in Italy have jointly committed to a decarbonisation and green transition strategy for the cement industry with the employer organisation, Federbeton, in response to a growing crisis in the industry and a desire to secure the future of the cement plants and workers' jobs.

Joint Notice between FENEAL UIL, FILCA CISL and FILLEA CGIL and Federbeton

Ecological Transition of the Cement Industry in Italy

In 2021, BWI affiliates in Italy FENEAL UIL, FILCA CISL and FILLEA CGIL and the employer's organisation in the cement sector, Federbeton, released a joint notice affirming their shared commitment to be 'protagonists of the ecological transition' and play their role in delivering Italy's National Recovery and Resilience Plan and meet the targets set under the European Green Deal. The cement sector in Italy has been facing a deep crisis with a significant number of layoffs, so the strategy is aimed at securing the future of the cement plants. Federbeton and the unions have jointly committed to implementing a decarbonisation strategy for the cement industry, which commits to full decarbonisation of cement production by 2050. The strategy includes commitments to transitioning the fuel used at cement kilns from fossil fuels to low-carbon, secondary solid fuels and to invest in the re-development of disused quarries for renewable energy. The strategy also aims to maintain current employment levels, support the existing workforce to be re-trained for green jobs and enable the creation of new jobs in decarbonisation processes and green technologies. Implementation of the strategy will be monitored by a bipartite committee.

"The just in just transition addresses the social element of the transition, but we have to protect the environment at the same time." – Claudio Sottile, FILCA CISL, Italy

On 30 June 2022, the employer's organisation OFICEMEN, representing Spanish cement companies and Spanish trade union organisations CC.OO. del Habitat and UGT-FICA signed the "Agreement for the transition to climate neutrality, sustainable use of resources, protection of the environment, human health and improvement of the competitiveness of the cement sector".

The parties agreed to work on joint projects with the aim of improving energy efficiency in the production processes of cement and derivatives, contributing to increasing the competitiveness of the company and reducing emissions. In particular, they committed to work together with a view to promoting the use of:

- ▶ Fuel with a lower carbon-hydrogen ratio.
- ▶ Renewable Energy with a special interest in biomass.
- ▶ Energetic and Material Use of Waste,
- ▶ Capture, use and storage of carbon dioxide.
- ▶ Green hydrogen.

The agreement further foresees that in all activities where there is a risk to the health or safety of workers, the employer must take the necessary measures for the protection of workers against risks related to exposure to biological agents at work.

An innovative element of the agreement is the creation of the “environmental delegate”, a new role to ensure the active participation of workers and unions in discussing the design and implementation of environmental policies with the company, the impact of using new productions methods and techniques on working conditions, health and safety etc. To perform this duty, every delegate is entitled to ten hours per month and to attend regular training and information sessions on environmental issues.

“Agreement for the transition to climate neutrality, sustainable use of resources, protection of the environment, human health and improvement of the competitiveness of the cement sector” between OFICEMEN, CCOO del Habitat and UGT FICA

The Environment Delegates shall be elected by the trade union centres that are signatories to this Agreement, with a maximum of two per factory, preferably from among the workers’ representatives of said centres, and shall have specific functions in terms of control and monitoring of this agreement.

The Environmental Delegates shall hold regular meetings every four months with the representatives of the factory management.

The responsibilities of the Environmental Officers are as follows:

1. *To collaborate with the Management of the company in the improvement of environmental action.*
2. *To know and be informed in the first instance of all the elements that make up the control and monitoring according to this Agreement, of environmental projects carried out in the factory.*
3. *To promote and encourage the cooperation of workers in the enforcement of environmental regulations.*
4. *To monitor and control this Agreement.*
5. *To know and be informed about what is determined in article 12 of Royal Decree 664/1997 on information and training of workers.*
6. *To propose initiatives, local awareness-raising days or projects related to the Agreement.*

Jobs and Employment Relationship

Maintaining jobs during the green transition is essential.

Whilst the just transition narrative has focused for decades mostly on the need to maintaining jobs during the transitions, BWI affiliates have additionally sought to tackle the issue of informality. They have negotiated agreements, that provide for secure, direct employment. This is critical in sectors like construction where sub-contracting and fake or imposed self-employment is common, posing significant barriers to a Just Transition.

BWI’s IFA with Cementos Argos, a Colombian cement company, also references informality in the cement sector and how it can be counteracted through decent, secure employment. Informal work is extensive in BWI sectors, particularly in countries where labor markets are characterized by a high level of precariousness and low level of labor regulations, so it is helpful to see this recognised in BWI’s first IFA with a company in Latin America and the Caribbean (LAC).

“...labor relations and practices of Cementos Argos in its facilities constitute elements that societies value and become strengths to counteract informality and the deterioration of the market and industry”.
– IFA with Cementos Argos

Provisions on employment relationship are not currently linked explicitly to issues of a Just Transition, but the ENGIE IFA provides a useful starting point with provisions on maintaining employment relationships and standards during restructuring and transitions.

ENGIE International Framework Agreement

Direct Employment and Job Security in the Green Transition

BWI's IFA with ENGIE includes a specific article on Sustainable Employment which commits the company to direct, secure employment. It also states that partners and subcontractors are expected to comply with these standards.

"ENGIE recognises the importance of direct, secure employment, both for the individual and the company, favouring permanent contracts and direct jobs."

"All work must be carried out within the appropriate legal framework and not make excessive use of temporary or agency labour."

Crucially, the ENGIE IFA also references the need to maintain this commitment during restructuring and transformation. When considered alongside the commitment to a Just Transition in the preamble of the agreement, this provides a sound basis for ensuring secure, direct employment is the basis for a Just Transition for ENGIE employees.

"ENGIE systematically strives to preserve all collective social guarantees during restructuring and transformations. Reorganisations and transformations embarked upon by ENGIE are not motivated by finding "minimum social standards" but by the company's longevity, offering jobs in the best possible social conditions."

Learning, Training and Skills

Skills training is an essential component of a Just Transition. A number of BWI's IFA's include provisions on access to education and training programmes to support workers develop the skills they need to use new technology and equipment.

"All workers shall be granted the opportunity to take part in educational and training programmes, including special training to develop the necessary skills about new technologies and machinery." – IFA with WeBuild (Salini-Impregilo)

Some IFA's expand upon this, explicitly connecting skills development and training with the Just Transition process.

The ENGIE IFA builds on this by committing ENGIE to recognising the role of BWI and affiliates in planning and implementing a Just Transition.

"ENGIE commits investments in research and development. The signatories of this Agreement support the transition towards a carbon-free economy and will cooperate to ensure that a Just Transition, redeployment and adequate training take place, while ensuring the protection of workers' rights and interests and making sure that the impact of these changes is planned and implemented in an agreed and fair manner" – ENGIE IFA

The most detailed collective agreement found on skills for a Just Transition in BWI sectors is a collective agreement for the building sector in Italy on developing skills for green construction. This agreement focuses on the specific skills and training needs of construction workers to adopt green construction practices.

Collective Agreement for the Italian Building Sector

Skills for green, sustainable construction

In March 2022, BWI affiliates in Italy FENEAL UIL, FILCA CISL and FILLEA CGIL signed a new collective agreement with the employers' organisations for the building and construction sector, covering 1 million construction workers. One of the aims of the agreement is to meet the demand for workers qualified in green construction in order to meet EU targets for decarbonisation.

In particular, the agreement defines the creation of a National Training Catalogue focussed on green building, sustainability and new construction techniques. The agreement also increases financial contributions which go to Italy's building schools, so they can provide this new training offer across the country.

Trade Union Rights

Freedom of association and collective bargaining are essential pre-requisites for a Just Transition. All BWI IFAs contain clear provisions requiring MNCs to commit to protecting these fundamental rights. The BESIX IFA provides an example of how IFAs can be used to extend freedom of association, including in places where trade union rights are heavily restricted, and enable social dialogue on Just Transition issues. Similarly, the agreement with QDVC with its system of joint audits carried out by a reference group responsible for the implementation of the agreement allows for the effective monitoring over, for instance, terms of employment, working and living conditions, grievances mechanisms, use of subcontracting etc. Two audits carried out in Qatar in 2019 and 2021 allowed parties to assess areas of progress, to discuss further improvements, and significantly contributed to advance the rights of migrant workers.

BESIX International Framework Agreement

Promoting Freedom of Association

The IFA with BESIX enabled BWI and Belgian affiliates to conduct inspections in countries like Qatar and the United Arab Emirates where trade union rights are heavily restricted and where the vast majority of workers are migrants with little representation.

Four joint inspections were completed to Six Construct construction sites in Qatar from 2017-2019. Through its joint inspections and engagement with the Qatari authorities, BWI worked to hold elections for Workers Welfare Forums (WWF) on the construction sites in order to enable worker representation and grievance handling, including on issues related to climate adaptation. The forums were able to raise a number of issues with construction site management. The IFA with BESIX has allowed this work to spread to other countries where BESIX subsidiaries operate, including in Abu Dhabi where BWI is delivering training on workers' rights linked to the IFA.

"Without the agreement it would not have been possible to address issues of Just Transition with the company and give the workers' perspective on it." – Gianni de Vlamincq, FGTB, Belgium

Another example is the Agreement signed in 2000 and then revised in 2008 between BWI, its German affiliate IG Metall and Faber-Castell A-G, the world's largest pencil manufacturer.

In 2016, the workers of AW Faber Castell Peruana SA decided to form a union and enter into collective bargaining with the company as established by the Social Charter and the International Framework Agreement applying to the whole group. Later in 2019, the newly formed union signed with management a joint Declaration on Safe and Healthy Workplaces expressing the commitment of the workers and company to work together to promote healthier and safer workplaces. A similar declaration was signed by trade unionists and the Faber-Castell management in Brazil the year before, contributing to the BWI campaign on OSH as a fundamental workers' right.

Implementation

All IFAs include provisions on implementation which describe how the parties will monitor and enforce the agreement. Some earlier IFAs in BWI sectors contain implementation provisions, requiring a global monitoring committee, a shared commitment to raise awareness of the IFA throughout the MNC's operations, and provisions to manage dispute resolution internally between the Global Union Federation (GUF) and MNC. More recent IFAs have gone further, requiring focal points and/or reference groups at subsidiary/national level, including subsidiaries and national union affiliates in monitoring and dialogue, joint monitoring visits and inspections to workplaces, joint awareness-raising and training initiatives on the IFA and the standards it contains, and stronger provisions on mediation and arbitration of disputes.



“The regular site visits are what make our agreement effective” – Guy Winandy, Secretary of the European Works Council (EWC) of BESIX Group

While provisions on implementation have been strengthened, the inclusion of Just Transition issues within implementation is usually implicit. One exception to this rule is the 2022 collective agreement for the cement industry in Italy, which includes energy transition issues within the scope of the national Bilateral Committee on Building Materials.

Interviewees stressed that enabling monitoring and enforcement at national and local levels was key to implementation. Including subsidiaries and affiliated unions outside of the MNC's country of headquarters, therefore, appears critical, the examples of Besix and QDVC with its auditing systems clearly confirm this. The agreement with Faber Castell also provides for a robust implementation and monitoring mechanism through internal and external audits; for example, the Monitoring Committee discussed the implementation of the recommendations made by the audit team in 2017 and 2018 and exchanged views on best practices in different areas, like health and safety (ergonomics), reduction of high temperature at working facilities, and sharing of experiences between representatives of management and trade unions on social dialogue.

Key Findings and Summary

The inclusion of Just Transition issues within IFAs in BWI sectors provides useful examples of achievements and real changes for workers that can show the way forward for future agreements or negotiations.

The ENGIE IFA provides useful language for BWI to build from, as it contains detailed language on Just Transition principles and joint commitments across a variety of relevant issues. The BESIX IFA and the QDVC agreement also includes language on climate adaptation and provides examples of how these provisions can be used to enable change at subsidiary worksites and bring concrete improvements to workers' lives.

All but one of the IFAs reviewed was negotiated with an MNC headquartered in Europe, the exception being the IFA recently signed with Colombian cement company Cementos Argos. It is important social protection and transition plans are extended to and include all workers in BWI sectors, especially outside of Europe, as they often face the biggest risks, lack the adequate protection and/or collective representation through trade unions and workplace representatives. The IFA with BESIX and Faber Castel and the agreement with QDVC show how, through IFAs, BWI and its affiliates can reach workers in all global operations of an MNC, inspect working conditions on the ground and bring concrete improvements in countries where lack of strong labour laws or inspection mechanisms are non-existent or inadequate

BWI and affiliates have reached a number of detailed agreements on adaptation to climate change, resulting in positive outcomes for workers in terms of occupational safety and health and social protection. These achievements can be built upon in future bargaining rounds and can help inform BWI and affiliate's bargaining positions on climate adaptation with MNCs.

Agreements also cover other essential issues for the Just Transition such as decarbonisation and green transition, learning, training and skills, and jobs and employment relationship. The increasing needs for "green skills" and the emerging demand for "green jobs" create further opportunities to strengthen and expand bargaining on these issues and ensure that changes are based on a Just Transition.

For example, decarbonisation and green transition is critical in many BWI sectors, but IFAs often reference plans designed by MNCs themselves which are not always the result of discussions with trade unions but simply acknowledge the existence of a company policy on net zero or company targets towards decarbonisation. While unions have on several occasions denounced attempts of greenwashing by MNCs which, in many cases, distort science-based evidence to show progress in achieving net zero, BWI and its affiliates' engagement with MNCs are aimed at implementing those policies in joint discussions and through joint projects as the case of the agreement in the cement sector in Spain shows.

Furthermore, maintaining and expanding secure, direct employment is critical for achieving a Just Transition in BWI sectors where work is so frequently fragmented, precarious, and informal. There is an opportunity to establish a stronger, strategic link between these issues as main elements for a Just Transition in IFAs and CBAs in BWI sectors especially as it might enable more discussion in implementing and monitoring those agreements around those issues.

Achieving a Just Transition will require unions in BWI sectors to develop transformative visions and plans for a Just Transition which prioritise meeting the needs of workers and communities – not the profits of MNCs and shareholders – within planetary boundaries.

Implementation and enforcement of IFAs remains a key priority. Action on Just Transition issues via IFAs could be expanded and strengthened by negotiating the inclusion of Just Transition issues within the implementation clauses. This could include negotiating an explicit commitment to a Just Transition, recognition of the leading role unions must play in planning it at all levels and agreement of a structure for social dialogue and collective bargaining to enable this. There are also opportunities to strengthen implementation provisions within BWI IFAs across the board such as on monitoring, information dissemination, training and dispute resolution³.

The inclusion of affiliates from among MNC subsidiaries and subcontractors who are climate literate and closest to the impact of the climate crisis is also essential, through joint MNC campaigns and in the negotiation and monitoring of IFAs⁴. Meaningful agreements on a Just Transition will also be more likely if supported by strategic, targeted campaigns at MNCs which build the associational power of unions across national borders.⁵

3 (Sydow et al 2014)

4 (Fichter and McCallum 2015; Gibb 2020; Hadwiger 2016)

5 (Fichter and McCallum 2015)

Collective Bargaining on the Just Transition in BWI sectors – a toolkit for Critical Reflection

This toolkit has been developed to support BWI and affiliates to engage in collective bargaining with MNCs on a Just Transition in BWI sectors, particularly through International Framework Agreements. The toolkit can be used to develop union policy and bargaining positions in the context of strategic and coordinated campaigns targeting MNCs.

The toolkit includes the following sections:

1. **Pre-Conditions for Successful Bargaining on a Just Transition** – what do you need to have in place to make successful bargaining outcomes on a Just Transition more likely?
2. **Developing a Bargaining Position on a Just Transition** – what issues should unions aim to include in bargaining on a Just Transition?
3. **What to include in an IFA** – what provisions should unions aim to see included in IFAs to promote a Just Transition?

Pre-Conditions for Successful Bargaining on a Just Transition

There are a number of important pre-conditions before bargaining on a Just Transition which can strengthen outcomes, including:

- ▶ **Climate literacy** – Many workers lack expertise on climate related issues which restrains their ability to propose meaningful changes and make convincing arguments. Training and capacity building on climate literacy key concepts, policies and frameworks and greater understanding of why the climate crisis is a trade union issue.
- ▶ **Alliances** – Creating alliances with like-minded organisations can strengthen the union bargaining position and its advocacy outreach. This includes alliances with environmental movements, NGOs and campaign organisations, academics and with organisations and movements representing vulnerable groups.
- ▶ **Evidence** – Credible data and evidence on the impact of the climate crisis on workers in BWI sectors and the benefits of a Just Transition can be hard to come by. Investing in research to address knowledge gaps and develop credible evidence to support union demands can strengthen union's bargaining position.
- ▶ **Leverage via strategic, coordinated and multi-level union campaigns** – BWI's experience shows that MNCs who claim to support action on the climate crisis will often oppose unions even bringing the issue to the bargaining table. Gaining leverage to support bargaining is therefore essential. The outcomes of bargaining on a Just Transition are much more likely to be positive if bargaining sits within a comprehensive union campaign, developed from the ground-up and coordinated from workplace to global levels.

Developing a Bargaining Position on the Just Transition

A Just Transition will look very different across the construction, building materials and forestry and wood sectors. Policies and bargaining positions should reflect the unique challenges facing their sectors and workplaces.

The table below provides a framework to guide unions in identifying key Just Transition issues and proposals for collective bargaining. It describes the essential Just Transition topics relevant to workers in BWI sectors, poses guiding questions unions can use to identify important issues for bargaining and provides examples of the types of issues that can be included in collective bargaining under each topic.

Policies and proposals developed through a participatory process with reps and activists on the ground, including those who work in the subsidiaries and subcontractors of the MNC outside the country where its headquarters is based are most effective. Policy and bargaining positions should be gender responsive and consider the most marginalised workers and those who will be hit hardest by the climate crisis and green transition processes.

Topic	What is it?	Key Questions	Examples of issues for bargaining
Trade Union Rights	Ensuring the union's role in planning and negotiating the Just Transition is recognised, that Just Transition issues are on the bargaining table and that a structure for bargaining is agreed.	<ul style="list-style-type: none"> ▶ Does the employer/company recognise the union as their bargaining counterpart on issues of environment, climate and the Just Transition and why? ▶ What Just Transition issues are currently included in the scope of social dialogue and bargaining with the employer/ company? ▶ What information do union need access to from the employer/ company to engage in dialogue and bargaining on a Just Transition? ▶ What challenges do the union currently face engaging the company in social dialogue and bargaining on a Just Transition? ▶ How can the union ensure recognition of its role in the Just Transition and enable bargaining at all levels of the company, including with its subsidiaries and subcontractors? 	<ul style="list-style-type: none"> ▶ Recognition of the unions' leading role in bargaining on climate and the Just Transition. ▶ Access to information on company environmental performance and targets. ▶ Inclusion of climate and Just Transition issues within scope of social dialogue and collective bargaining forums. ▶ Establishment and formalisation of social dialogue and collective bargaining structures for climate and Just Transition issues at all levels of the company/MNC/sector. This could include forming climate/Just transition committees with specialist worker reps. ▶ Inclusion of intersecting needs and issues relevant for marginalised groups in social dialogue and collective bargaining on a Just Transition, including women, migrants and informal and precarious workers.
Climate Adaptation	Supporting workers and workplaces in BWI sectors to adapt to the impact of climate change. This includes issues like adapting to the increasing severity and frequency of extreme temperatures, weather events and natural disasters.	<ul style="list-style-type: none"> ▶ What impact is the climate crisis currently having on workers and workplaces in the company? (Consider OSH and social protection in particular). ▶ What impact do we expect the climate crisis to have in the future (e.g. will new issues arise, or will some issues become more severe)? ▶ How can we adapt our workplaces and working practices to protect workers' income, health and safety and working conditions while adapting to the impact of climate change? 	<ul style="list-style-type: none"> ▶ OSH improvements, such as on PPE, access to water and shelter, facilities, breaks, changes to working/shift times, disaster preparedness etc. ▶ Stopping work due to extreme temperatures/weather or disasters. ▶ Compensation for lost work due to extreme weather, temperatures or disasters. ▶ Training and awareness raising on climate impacts and risks facing workers. ▶ Ensuring climate adaptation measures consider the unique needs and impacts of the climate crisis on marginalised groups.

Topic	What is it?	Key Questions	Examples of issues for bargaining
Decarbonisation and green transition	Ensuring MNCs in BWI sectors discuss with unions a credible plan to achieve Net Zero and contribute to a green economy.	<ul style="list-style-type: none"> ▶ What impact does the company and the specific sector as a whole have on the climate and the environment? (Consider emissions, but also impact on the immediate natural environment, waste, biodiversity, forests etc) ▶ What plans does the company currently have for a green transition/achieving Net Zero and a Just Transition and are they meaningful and credible? ▶ How should the company, its subsidiaries, subcontractors and supply chain, and our sector as a whole be changing its business model – including its products, processes and services – to create and sustain a built environment which serves people and planet? 	<ul style="list-style-type: none"> ▶ Union policy positions on green building, planning, retrofitting, green infrastructure, waste and building materials recycling and transitioning cement, sustainable forestry etc. ▶ Proposals for adoption of and/or transition to greener products, processes and services. ▶ Proposals for integrating climate, sustainability and Just Transition requirements into contracts with subcontractors and suppliers especially in public contracts with municipalities and city councils. ▶ Collecting scientific data and evidence on net zero and just transition on targets jointly agreed and discussed by unions and management
Employment relationship	Ensuring secure, direct and decent employment for workers in BWI sectors as an essential part of a Just Transition.	<ul style="list-style-type: none"> ▶ What challenges does a fragmented workforce characterised by indirect, insecure and informal employment pose to a Just Transition? ▶ How can the company and unions promote and secure, direct, and formal employment? ▶ How can we avoid that informal, precarious and unstable working patterns/conditions hinder the objectives of a fair transition? ▶ How can skills, training and social protection benefits be extended to the whole workforce – including suppliers and subcontractors? 	<ul style="list-style-type: none"> ▶ Expanding direct, secure employment including among subsidiaries and subcontractors. ▶ Supporting the formalisation of informal construction work. ▶ Supporting universal access to skills training and social protection for the whole workforce.
Occupational safety and health	Protecting the health and safety of workers during climate adaptation and decarbonisation processes.	<ul style="list-style-type: none"> ▶ What OSH risks are created by climate change and the changing nature of work in the company/sector? ▶ What changes to OSH policies, systems, facilities and equipment are required to protect workers from these risks? ▶ What changes to working practices are required to protect workers from these risks? 	<ul style="list-style-type: none"> ▶ Inclusion of climate and Just Transition issues within scope of bargaining and dialogue on OSH, including with OSH committees ▶ Promote the institution of the environmental/climate delegate to be the counterpart of the company on climate related issues. ▶ Joint union-employer risk/hazard assessments and action planning to develop new OSH policies, systems and processes which support climate adaptation and are suitable for the changing nature of work during the green transition. ▶ OSH improvements, such as on PPE, access to water and shelter, facilities, breaks, changes to working/shift times, disaster preparedness etc. ▶ Measures to strengthen workers' right to refuse work linked to climate-related risks to their health and safety.

Topic	What is it?	Key Questions	Examples of issues for bargaining
Social protection	Protecting the incomes and livelihoods of workers during climate adaptation and green transition.	<ul style="list-style-type: none"> ▶ What risks does climate change and the changing nature of work in the company/sector pose to workers jobs and incomes? ▶ What new or changed protections do workers need to secure their jobs and incomes in the face of climate change and a transition in their jobs? ▶ How should social protection schemes be managed and sustainably financed? 	<ul style="list-style-type: none"> ▶ Schemes to support and maintain incomes during climate disruption and green transition, including compensation for lost work due to extreme weather, temperatures or disasters. ▶ Financial assistance to workers who are transitioning roles, reskilling, upskilling etc. ▶ Climate change and Just Transition considerations for health, accident and injury, pension and unemployment schemes. ▶ Ensuring social protection schemes are gender responsive and consider specific and heightened risks faced by marginalised groups.
Learning, training and skills	Supporting training and skills development of workers to up-skill and re-skill to meet changing work requirements and job profiles in the green transition.	<ul style="list-style-type: none"> ▶ What skills and job roles will be required in the company/sector during the green transition? ▶ What training and skills development opportunities do workers need to reskill and upskill so they can transition into these skills and job roles? ▶ How can we ensure skills and training opportunities are accessible and inclusive to all, including groups who are often marginalised like migrants, women and young people? 	<ul style="list-style-type: none"> ▶ New skills, qualifications, curriculums and programmes agreed with and negotiated with the company/employer focussed on green building, retrofitting, energy efficient and sustainable building materials, sustainable forestry etc. ▶ Development of pathways for workers to gain skills and transition jobs and roles that avoid or minimize the possible negative effects on employment stability and guarantee.

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BWI IFAs with the following companies were reviewed for this report:

- | | | | |
|-------------------|---------------------|---------------------|--------------------|
| 1. Acciona | 8. FCC Construcción | 15. Obrascon Huarte | 21. Veidekke |
| 2. Ballast Nedam | 9. Federbeton | Laina (OHL) | 22. Webuild |
| 3. BESIX | 10. Ferrovial | 16. Royal BAM | (Salini-Impregilo) |
| 4. Cementos Argos | 11. Hochtief | 17. Skanska | 23. Wilkhahn |
| 5. Dragados | 12. IKEA | 18. Schwan Stabilo | |
| 6. Engie | 13. Italcementi | 19. Staedtler | |
| 7. Faber-Castell | 14. Lafarge | 20. QDVC | |



BWInt is the Global Union Federation grouping free and democratic unions with members in the Building, Building Materials, Wood, Forestry and Allied sectors.

BWInt brings together around 361 trade unions representing around 12 million members in 115 countries. The Headquarters is in Geneva, Switzerland while the Regional Offices are in Panama, Malaysia, and South Africa.

Our mission is to defend and advance workers' rights, and to improve working and living conditions in our sectors. The BWInt, above all, has a rights-based approach. We believe that trade union rights are human rights and are based on equality, solidarity and democracy, and that trade unions are indispensable to good governance.

BWInt goals include 1) to promote and defend human and trade union rights; 2) to increase trade union strength; 3) to promote a stable and high level of employment in our sectors; and 4) to influence policy and strengthen the capacity of institutions and tripartite structures in our sectors.

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Social Dialogue and Collective Bargaining in the Green Transition in BWI Sectors

An analysis of International Framework Agreements
and Collective Bargaining Agreements

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