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Abstract

Ageing workforces are placing conflicting pressures on European trade unions in order to, on the one hand, protect pensions and early retirement routes, and, on the other, promote human resource management (HRM) policies geared towards enabling their older members to extend working life. Using interviews from German and United Kingdom (UK) trade unions, we discuss how unions are both constrained and enabled by pre-existing institutional structures in advocating approaches to age management. In Germany, some unions use their strong institutional role to affect public policy and industrial change at national and sectoral levels. UK unions have taken a more defensive approach, focused on protecting pension rights. The contrasting varieties of capitalism, welfare systems and trade unions' own orientations are creating different pressures and mechanisms to which unions need to respond. While the German inclusive system is providing unions with mechanisms for negotiating collectively at the national level, UK unions' activism remains localized.

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age management, institutional theory, older workers, trade unions

Introduction

Changing age demographics present significant challenges for trade unions across Europe. Throughout the past half-century, unions, employers and government have pursued strategies of lowering the age of pension entitlement and creating early retirement routes. This 'collusion for early retirement' (Ebbinghaus, 2001: 38) has been pursued as a labour shedding strategy to ease unemployment and maintain peaceful labour relations during periods of economic restructuring. However, such strategies are no longer tenable as changing age demographics and the sustainability of social security schemes necessitate the retention of older workers (Organisation for Economic Co-operation and Development [OECD], 2011). Consequently, unions are faced with the need to reorient policies towards championing their older members' employability. National institutional systems, however, constrain unions in adopting major employment policy changes. The aim of this article is to consider how unions in contrasting varieties of capitalism (VoC) and welfare systems, the United Kingdom (UK) and Germany, are adapting policies on work and retirement within the current economic and political contexts.

Pressure to reduce the financial cost of pension schemes and to encourage more flexibility in employment contracts has come from employers, while agendas of age flexibility and raising pensionable age have been confirmed within the European Union (EU). Social partners have shifted their policy focus towards improving the quality of working life for older people, while at the same time raising statutory retirement ages (High Level Group, 2004). As Duncan et al. (2000) note, unions' approaches to retirement have rested on four principles: that it represents release from financial dependency on work; is a reward for a lifetime of work; frees up jobs for younger workers; and prevents employers from exploiting older people as sources of cheap labour. Unions thus seek to protect pension rights, including early retirement routes, because such strategies are necessary to protect members' right to retire. At the same time, they face their own demographic problems, as union membership throughout Europe is older than the general populations (Ebbinghaus, 2004), creating pressure to champion older workers' rights.

In this article, we focus on the problem of how union responses have been both enabled and constrained by institutional frameworks. We examine how unions in Germany and the UK have responded to the conflicting pressures to protect pensions and early retirement routes, on the one hand, and to promote HR policies aimed at supporting the extension of working life on the other. We have selected Germany and the UK as they represent different union orientations within contrasting VoCs: the German case being that of the coordinated market economy (CME), and the UK case as a liberal market economy (LME). We have also chosen two contrasting industrial sectors, steel and retail, representing different occupational groups (blue collar and service personnel).¹

MacNicol and Blaikie (1990: 38) note that unions have been largely complicit in employment and public policies 'to confirm the economic uselessness of old people'. Both the UK and German governments have operated early retirement schemes with the endorsement of the British Trades Union Congress (TUC) and the German Deutscher

Gewerkschaftsbund (DGB), respectively. The last such scheme in the UK was abolished in 1989 (Kohli et al., 1991). However, in Germany the state-subsidized *Altersteilzeitgesetz* (ATZ; part-time employment prior to retirement law) only began to be phased out from 2010 (Bundesarbeitsministerin für Arbeit und Soziales [BMAS], 2010). Consequently, while economic activity rates for workers aged 25–54 in Germany have consistently been higher than their UK counterparts, the reverse has been true for those aged 55–64, at least until 2009, when the German rate overtook the British one (OECD, 2012). Furthermore, for workers aged 65 plus, institutional barriers in Germany through national collective agreements largely restrict employment opportunities. By contrast, while the UK had a ‘default retirement age’ (DRA) of 65 until 2012, British workers above this age had a statutory right to request to delay retirement (Flynn, 2010), and the DRA has now been abolished (HM Treasury, 2010). As a result, the 65 plus employment rate in the UK is twice as high as that of Germany (8.6% vs 4% in 2010) (OECD, 2012). Finally, regarding economically inactive older people, Germany features a significantly higher retirement income replacement rate than the UK (58.4% and 48%, respectively) (OECD, 2011).

The article is divided into three parts. First, drawing on literature on VoCs, European trade unionism and labour and protest movement theory, we present our theoretical framework to explain the contrasting approaches which UK and German unions have taken. We focus on the interplay between structure and agency factors in shaping agendas, and attempt to determine the degree to which new norms of behaviour and expectations have become embedded (or not) within states. We acknowledge that structure can be constraining to actors, but postulate that it can also enable actors to do things they would not otherwise be able to do (Giddens, 1986) and that actors can actively shape their environments (Battilana et al., 2009). After presenting our methodological framework, we discuss current EU, UK and German government policy on age, work and retirement. We then present qualitative data that discusses the unions’ approaches at the national and sectoral levels. We also consider how unions act as agents in changing both employer and public policies.

Theoretical frameworks

In order to explain the contrasting approaches that UK and German unions have taken to age management, we draw on three bodies of literature: institutional analyses; labour and protest movement theory; and Hyman’s (2001) geometric model of European trade unionism. As we set out below, these theoretical frames explain the structures within which unions work as set by, respectively, macro-economic institutional complementarities, their roles in the workplace and wider society, and their own historically formed strategic orientations.

First, institutional analyses construct a framework in which the historically formed relationships between the forces of state, labour and capital act to determine a variety of path dependent outcomes. The VoC approach, in particular, emphasizes the importance of clustered relationships between state, labour and capital in predicting outcomes relating to work and employment. For example, in a liberal market economy (LME) such as the UK, more variance in practice may be predicted as there is less employer coordination than in a coordinated market economy (CME) such as Germany. In contrast, in

(West) Germany the historical prominence of social democratic neo-corporatism situated unions as a social partner within a consensus-based industrial relations framework. We might hypothesize that sectoral agreements, translated into national agreements, would sit alongside state provision as having a dominant role in regulating work and retirement.

However, the VoC approach may not be entirely satisfactory in predicting *union* response, and has limitations in the context of this article. Hall and Thelen (2009) recognize these limitations with respect to organized labour as an agent by (re-)emphasizing the contention that VoC literature is primarily focused on employer coordination and interests. Manow and Seils (2000), for example, highlight a by-product of such employer-based coordination, whereby West German employers utilized early retirement policies to cope with a structural downturn in the coal and steel industries, with the consequence of pushing up non-wage labour costs throughout the economy. As Hall and Gingerich (2009: 450) confirm, the VoC approach tends to focus on 'institutional complementarities in the macroeconomy', implying a normative assumption of societal stability driven by collective employer interest. Organized labour appears relegated to the role of *passive* agent, without consideration of on-going tensions between capital and labour. This may be because the assumption of societal stability, expressed as 'institutional complementarity' (Amable, 2000: 645), marginalizes tensions within the system, by presenting an ideal route to national competitiveness. This assumption is problematic when considering unions as transformative agents.

For these reasons, we also draw from literature rooted in alternative forms of historical institutionalism that identify a 'plurality of logics' (Morgan and Kristensen, 2006: 1472) that actors, including unions, pursue within a national system. Following this logic, Thelen (2001: 71), for example, attempts to integrate 'varieties of labour politics' into the VoC framework, and suggests that systemic stability is threatened by union action, as unions seek both to constrain employer action as well as pursue separate and conflicting interests. Other theorists have similarly taken the view that there may be more plasticity within institutional frameworks than otherwise supposed (see Lane and Wood, 2009, for a review of the debate). As such, it may be better to consider LMEs as less stable (or simply disorganized and de-centralized) than CMEs. Furthermore, both systems may be subject to *renegotiation* of the terms of engagement between employers and organized labour. Such a process of renegotiation is intense, as both models suffer strains and tensions under neo-liberal prescription (Hall and Thelen, 2009; Streeck and Thelen, 2005). Streeck (2009), in adopting a renegotiation perspective, pays particular attention to the German case, where he suggests that neo-liberal prescriptions have now fundamentally changed the nature of *Modell Deutschland*, to the disadvantage of organized labour.

We secondly need to consider the influence of other 'actors' on discourse and practice within wider civil society. Theoretical frameworks which examine social movements are, therefore, of interest. For example, concerns over pensions and retirement will also be subject to the interests of Non-Governmental Organizations (NGOs) active in age welfare. This balance between competing interests shapes welfare regimes. We must then consider trade unions' social activity alongside that of employers, governments and other actors within civil society who are acting to shape discourse and practice.

We suggest that this imperative is valid in the case of pensions and working age because the dual nature of representation (i.e. at the workplace and within wider civil society) makes it necessary to embed new expectations as well as to preserve old ones. Labour and protest movement theorists, such as Tilly (1978) and Tarrow (1998: 10), express how unions act as *movements* and respond to new cycles of contention when substantive issues are threatened and where new paradigms are enabled. Employers and governments may then either facilitate or repress the activities and demands of those movements that seek to resist change. Facilitation is favoured when existing institutional frameworks are used to neutralize opposition by varying degrees of accommodation, and has been the dominant response in Western Europe in the post-war period through the construction of collective bargaining arrangements and social pacts. Processes of renegotiation of pension and age management would certainly have fallen within this remit. However, given the overwhelming shift in discourse at the European level, we might predict that unions may be faced with less facilitative environments. As such, the need for unions to express more innovative policy approaches and types of protest, and to expand the field of associative power by moving beyond the workplace within civil society, may be increased correspondingly. This might entail a shift in union identity and modus operandi which we can attempt to measure and observe. For example, unions may adopt a wider role in representing the interests of older people by modelling themselves on membership-based older people interest groups like the USA AARP (Cave and Bassett, 1993).

Turning to the third theoretical foundation of this article, Hyman (2001) provides insights into the historically formed strategic orientations of unions in Germany and the UK. He suggests that union strategies are largely shaped by three orientations: promoting class interests by organizing and mobilizing labour; enabling members to exploit the market in the sale of their skills to employers; and acting as institutions with responsibility for governing a civil society. The British union movement is rooted in a history of pursuing class and market interests. German unions, in contrast, tend to locate their strategies on the axis of market and society, and utilize social democratic ideology and practice to create societal-based change through state intervention. While British unions pursue an agency model approach to collective bargaining (Farnham, 2011), German unions temper demands in return for guarantees on job security (Eichhorst and Marx, 2011). British unions are also more reluctant to rely upon government regulations to effect improvements to working conditions. Their public policy strategies tend to be oriented toward removing barriers to work, rather than campaigning for government-mandated improvements in working conditions (Hyman, 2001). British unions' class orientation give workers the 'material basis for resistance to the priorities of the capitalist mode of production' (Hyman, 2003: 41), which in this case is defined as an increase in real retirement age. As Hyman (1975) earlier signalled, British unions' conflicting relationship with employers has, in reality, been tempered historically with a certain degree of co-operation. British trade unions' approach to the age management agenda is nevertheless likely to be more in conflict with employers' agendas than in Germany. German unions are more centralized, with the locus of industrial relations at the national level (Gumbrell-McCormick and Hyman, 2006). In the UK, the picture is mixed. Although national collective bargaining is still common in the public sector, union

activity in the private sector is primarily local, with union activism centred on the workplace. We might expect that unions in the UK will be more disposed to localized and decentralized adversarial confrontations with employers to temper and pursue agendas on age and retirement.

Drawing on the three theoretical frames leads us to understand that union demands for better pension provisions and opposition to age discrimination are substantive and distributive concerns subject to negotiations on a bipartite basis with employers. Variation in bargaining patterns between countries will also influence how unions determine their strategies. For UK unions, collective bargaining is more decentralized. In Germany, sectoral bargaining, translated into national agreements, remains the norm. We might predict, therefore, that some commonalities and dissimilarities will be found in the way unions have responded to shifting discourse and practice. In the UK, where unions have been relatively adversarial and free, collective bargaining on pensions and retirement has been embedded, thereby creating a dominance of occupation or company-based schemes. British older workers' high employment rates (relative to other parts of the EU) are attributed to low incentives for early exit, the importance of lifelong learning, low unemployment rigidity, flexible and weakly regulated labour markets and low state pension entitlements (Hofäcker and Pollnerová, 2006).

In Germany, the on-going Hartz Commission reforms (Hassel and Schiller, 2010) have put pressure on the unemployed to find work, and have dented the social democratic certainties of the German model. As Hassel (2007: 176) suggests, the relative 'institutional security' of German trade unions may have acted to constrain unions' ability to innovate. The German government has, despite union (as well as some employer) opposition, decided not to extend ATZ. In the UK, the Labour party, when in government, closed off many early exit routes within public sector pension schemes, and set the groundwork for the further erosion of pension rights under the Coalition government after May 2010. In both countries, the traditional social democratic model of trade unionism is threatened, as unions can no longer rely on concessions from the government on the social wage (including pensions and labour-friendly retirement policies) in return for union restraint on wage growth. Unions may be forced to redefine their social and political identities, and engage more widely in civil society beyond the workplace in order to preserve their interests (Upchurch et al., 2009).

In summary, the ageing workforce agenda, both at the EU and national levels, presents significant challenges to unions. On the one hand, unions have the public policy tools, such as laws prohibiting age discrimination, to dismantle long-established barriers to work faced by their (increasingly ageing) membership bases (Harcourt et al., 2007). On the other hand, changes to tax and benefit systems are closing off early retirement routes, which represents a threat to the 'right' to retire before the state pension age (SPA). Unions are witnessing opportunities to extend workplace rights for their older members and significant changes to both public and private sector pension rights, which necessitate a defensive position. In particular, societal expectations are currently affected by paradigm shifts in employer and government attitudes. This may, in turn, necessitate unions raising their levels of contention in order to maintain their position and represent their members' interests.

Research method

We analyse interviews conducted with national and sectoral trade union officials, firm-level works councillors, firm-level managers and national experts. These interviews were drawn from a larger qualitative dataset: as part of an Economic and Social Research Council-funded research project on age management in the UK and Germany, semi-structured interviews were held with managers at the senior, HR and workplace levels in four matched pairs of case study organizations in Britain and Germany, representing four different industries. We conducted interviews with trade union officials in the respective occupational sectors and works councillors at the national- and firm-levels of the case study organizations. Furthermore, expert interviews were conducted with national stakeholders who are concerned with demographic change and age management.

Firm-level informants were selected using purposive sampling (Bryman, 2008: 415), although the selection of informants was constrained by the case study organizations as they had power to provide or deny access to specific informant types. Also, firm-level informants, such as line managers, were mostly selected and named by the case study organizations themselves. Our sampling of experts and national trade union officials was not constrained, and we chose those who were authorities in the specific field of age management and demographic change (Flick, 2009). In total, 95 interviews were conducted between 2006 and 2008. For the purpose of this article, we use 48 of these, selected because they focus on the perspective of trade unions and firm-level employee representatives. We draw on interviews in two of the four industrial sectors covered in the larger project: steel and retail. They represent contrasting occupational groups, and each embodies innovative practice in one of the two countries. In Germany, the steel sector was the first globally to feature national-level collective agreements on age (Dribbusch, 2006). Meanwhile, many UK retail companies, including the UK retail case study, have been acknowledged as Age Positive Employer Champions by the British Department for Work and Pensions (DWP) Age Positive campaign for measures including recruitment strategies targeting the older unemployed, and extension of flexible working opportunities to older workers (McNair and Flynn, 2006). Differences (or a lack thereof) of union approaches to age management between contrasting sectors illustrate the constraints of national institutional systems on trade union behaviour in these two countries. In addition to 20 expert interviews with national stakeholders including the Trades Union Congress (TUC) and Deutscher Gewerkschaftsbund (DGB - German Confederation of Trade Unions) (a full list can be found in Muller-Camen et al., 2011), the remaining 28 interviews used in this article are in four case study organizations and their respective sectoral trade unions.

All interviews were recorded and transcribed. Interviews were analysed using a cross-case synthesis research strategy that highlighted similarities and differences between cases (Yin, 2009). Using the process of thick descriptions, the case studies were examined for emerging patterns and common (or divergent) themes in light of the research questions (Burns, 2010), which were then analysed using a thematic analysis approach (Braun and Clarke, 2006). We now turn to the human resource management (HRM) and public policy contexts of age management and retirement in the two countries.

Age and work

In response to the European Employment Strategy, the UK and German governments have pursued approaches to raising real retirement ages that reflect traditional institutional-based practices. The UK government, under the previous Labour regime, set a target for increasing the number of older workers in the labour market by one million through mainly 'light-touch' approaches to employment regulations (DWP, 2005: para. 2.35). The centrepiece is the Age Positive Campaign, which aims to change employers' negative attitudes towards younger and older workers, and promotes the business benefits of a mixed age workforce (DWP, 2001). In 2006, the EU Equality Employment (Age) Directive was transposed into UK law, prohibiting workplace age discrimination except in instances where the discrimination meets a legitimate business objective and is proportionate (Department of Trade and Industry [DTI], 2006) and, as mentioned above, beginning the process of abolishing the default retirement age (DRA). In addition, the UK Government has implemented limited changes to the tax and welfare system to encourage older workers to stay in, or return to, work. The policy direction is to push the state pension age (SPA) to 68 by 2044 (DWP, 2010). Early retirement routes, whereby workers could start to draw their pensions between the ages of 50 and 55, were closed off in 2010, and early retirement on incapacity grounds is now more difficult. Furthermore, both the previous Labour and present Coalition governments have sought to reduce pension entitlements for public sector workers. Finally, the present government has changed the basis on which public sector pension entitlements are adjusted for inflation, and is pledging further reforms, probably including an end to final salary pensions and a rise of pension contributions (Curtis, 2011). Public sector unions have fiercely resisted pension measures, with national strikes in 2006 and 2011.

In Germany, the most dramatic changes have been made in order to rein in the financial costs of early retirement (Lamping and Rüb, 2004). Until reunification in 1990, successive West German governments had pursued labour market policies to lure the least productive members of the workforce, including older workers, out of work, while seeking productivity increases within the core workforce (Hemerijck and Manow, 2001). This approach became unsustainable following reunification (Eichhorst and Hemerijck, 2008). From the early 1990s, consecutive reforms of the pension system (Lamping and Rüb, 2004), and unemployment benefits and the social security system in general (Frerichs and Sporket, 2007), have shifted the costs of early retirement from the state to employers and individuals. As in the UK, the German SPA is due to rise to 67 by 2029. The most important labour market measure targeting older employees is ATZ. It was based on the 1984 *Vorruhestandsgesetz* (early retirement law) and was introduced in 1996. While the *Vorruhestandsgesetz* aimed to facilitate early retirement at age 58 to enable labour market access to younger Baby-Boomers (Marschallek, 2004), ATZ was intended to postpone older workers' early exit while at the same time providing them with an opportunity to transition into retirement slowly (BMAS, 2010). Workers' access to the scheme must be stipulated explicitly within the collective agreement governing their workplace or directly by their employer. Employers who agreed to take part in ATZ paid 70 per cent of the net salary and 90 per cent of the retirement contribution of a full-time contract, while employees worked 50 per cent of such a contract. The additional

costs were reimbursed by the Federal Employment Agency, if the firm filled the vacant 50 per cent-equivalent post with an unemployed person or a person who had just finished initial vocational training. At the end of 2009, German organizations received such a subsidy for 95,500 employees (Bundesagentur für Arbeit, 2010). Even though the state subsidized scheme is no longer available, social partners and employers can continue to provide self-financed access to old-age part-time and hence early retirement (Hanau, 2009). One example is the 2008 collective agreement in the metal and electrical industry in the Federal state of Baden-Württemberg that stipulates a self-financed continuation of the ATZ arrangements until at least 2016 (IG Metall, 2008).

Responses from the German and British trade union movements

We now turn to the union response. In both countries, unions are responding by shifting their own policies from protecting early retirement routes toward promoting older people's employability. Our research question is how the institutional structures, as explained in the theoretical framework, constrain and facilitate unions in making such changes. With this in mind, we will turn first to how the two national confederations have responded to public policy reform on work, retirement and pensions. Following this, we will explore union responses at the sectoral level.

In Germany, the DGB, along with the employer association the Bundesvereinigung der Deutschen Arbeitgeberverbände (BDA), has historically been influential in shaping employment policy. In the 1980s and 1990s, the two groups used their influence with government to push for the creation of early retirement pathways to reduce youth unemployment (Trampusch, 2003). However, growing problems with the financial sustainability of the German social security system has not only led to a change of state policies, but also changed the attitudes of the social partners. In 1999, the tri-partite Alliance for Jobs, Training and Competitiveness led to an agreement, for the first time, to promote the employment of older workers (Frerichs and Sporck, 2007). The change is reflective of the eventual elimination of early retirement routes. While the DGB and its constituent members continue to lobby for the extension of the ATZ, unions such as the IG Metall have negotiated substitutions in collective bargaining agreements. Focus has shifted to the improvement of working conditions and quality work in later life. The DGB informant suggested that German unions have continued their established approach of aiming to facilitate the 'humanization' of the workplace, and saw 'demographic change as an opportunity to humanize the world of work (DGB secretary)'. Nevertheless, as several of the German interviewees suggested, unions are still in between the old and new paradigm:

... they [trade unions] see that they have to do something for making people fit for a longer work life and at the same time they feel they have to hold on to their old thesis that ... the earlier we can stop working the better the trade union. (Jacobs University)

The working relationship between the TUC and the Confederation of Business and Industry (CBI) has been more antagonistic. The TUC has supported abolition of the DRA (TUC, 2003), while the CBI has opposed it, describing it as an infringement on

employers' right to retire older workers 'with dignity' (CBI, 2003). In lobbying government, the TUC eschewed compromise with the CBI in favour of joint campaigning with the Chartered Institute of Personnel and Development, representing HR professionals, and age charities and advocacy groups (Muller-Camen et al., 2011). With the Chartered Institute of Personnel and Development, the TUC has produced a best practice age management guide for the two constituencies' activists (Flynn and McNair, 2007). The TUC national officer stressed that, although the TUC and CBI were in dispute over the abolition of early retirement, the former's joint campaigning with the other organizations was evidence of its constructive relationship with employers.

Within the union movement, there has been division over the degree to which unions should campaign for an abolition of the DRA and the impact that this campaign may have on individual unions' efforts to defend pension rights. In 2007, the charity Heyday (formerly a part of Age Concern England [ACE]) sought a High Court injunction (subsequently pursued in the European Court of Justice) against the DRA. The TUC supported the Heyday petition, but some unions, which were themselves in the midst of industrial disputes over pension rights, had voiced opposition to the TUC's participation:

... a couple of big unions who were opposed to us challenging the age regulations on the Default Retirement Age basically because they saw it as so near the pension ages. (ACE)

In Germany, the social partners have reversed approaches to age management from one of early retirement towards one focused on longer working life. This may be the product of simultaneous pressures both organizations are facing. For the DGB, the loss of state-funded early retirement requires union members to remain economically active until they can retire on full pensions. For the BDA, employers are being compelled by demographic developments as well as changes in public policy to identify ways to keep older workers productive. This conjuncture has allowed unions and employers to coordinate a reversal of policy. In the UK, the CBI and TUC have also been competing over substantive issues. For the TUC, this has meant protecting pension rights, while seeking to dismantle barriers to working such as the DRA, and extending workplace rights in areas such as flexible retirement. The CBI, in contrast, has maintained a deregulation agenda. The next sections will now consider these issues for the examples of organizations in two industries in both countries (see Table 1).

Case study sectors: Steel and retail

In the German steel industry, age has been addressed as a personnel issue at the national level for decades. There has been a substantial decline in employment since the 1970s. As German steel companies have relatively strong internal labour markets and a very low labour turnover, the workforce reductions were mainly achieved by extensive early retirement and a recruitment freeze. As a result, steel companies are faced with a rapidly ageing workforce. This is exacerbated by the phasing out of state subsidies for early retirement, and explains why in 2006 employers agreed to trade union demands for a collective bargaining agreement on demographic change (Muller-Camen et al., 2011).

Table I Summary of respondents

		National and sectoral trade unions	Firm-level employee representatives	National employer associations	Firm-level managers	Experts (NGOs, government offices, research centres)	Total
Germany	National level	1	n.a.	2	n.a.	8	11
	Steel	1	1	0	4	n.a.	6
	Retail	0	1	0	7	n.a.	8
United Kingdom	National level	1	n.a.	3	n.a.	5	9
	Steel	1	0	0	5	n.a.	6
	Retail	1	2	0	5	n.a.	8
Total		5	4	5	21	13	48

The agreement is voluntary and employers and works councils are encouraged to negotiate initiatives in areas such as work organization, qualification, job rotation, age-mixed teams, healthy living and an increase in the employment of those finishing initial vocational training. The collective bargaining parties also agreed to lobby Government to extend ATZ. This initiative was not successful, but the 2009 collective agreement foresees an extension of part-time retirement for the industry financed by employers. Implementation of the collective bargaining agreement on demographic change at the firm-level has been mixed. The 50 plus workforce remains small throughout the industry, and few companies have faced pressure to deal with the issue. Some initiatives, such as the analysis of mandatory retirement structures, have begun in most companies. The IG Metall secretary interviewed suggested that before the agreement some companies were already very active, while others were not.

In 2005, German Steel started to develop an age management strategy that is consistent with the sector level agreement, making it a role model for the industry. The case study interviewees suggest that the German Steel initiative is driven by both management and the Works Council. Irrespective of demographic change, the Works Council supports the aims of the demography scheme to facilitate longer working lives as this is consistent with union demands for the 'humanization of work':

In order to meet the demands of the future, jobs have to be designed in such a way that people can meet work demands (...) at an older age (...) it has to be done in any case, irrespective of demographic change. In the past we used to talk about the 'humanization of work' (...) this discussion now touches upon the same concept, which is therefore still very relevant. (German Steel, Works Councillor)

According to the IG Metall Secretary, the combination of the ageing population and the need to guarantee pay of older workers exerts pressure on employers to keep employees productive and thus results in a common interest with unions:

The main aim of employers is to maintain their employees' employability and full performance potential as long as possible. This is their aim and we therefore have a lot of similar interests. (IG Metall Secretary)

From a union perspective the most contentious issue is that the organization places emphasis on healthy living, and thus the individual worker to adapt his or her life style, but little on the re-organization of work and working conditions:

In the analysis [of health issues] there has to be a stronger emphasis on the actual and specific workplace and the specific work done. Only when job demands and safety risks are properly taken into account and changes are planned, one can focus on health promotion. (IG Metall Secretary)

Privatization of the UK steel industry took place in 1988. This, combined with changing technology and global competition, led to a period of job attrition managed by recruitment freezes and early retirement (Bacon et al., 1996). By 2007, UK Steel was acquired by a foreign company. The economic downturn has impacted the company, with 3000 redundancies carried out since 2009, mainly through early retirement. UK Steel maintains an early retirement culture, particularly for blue-collar employees. Employees can retire on a full pension at age 55, and as young as age 50 for health reasons and with their manager's consent. Early retirement has thus been used to reduce headcount during periods of redundancy:

So the pension scheme was there, people got to a certain age, oh I can have my pension and it was used as a way of avoiding conflict and disputes (...) because they could get their pension and their benefits and everybody was happy. (Community Union Secretary)

The company provides a generous defined-benefit pension scheme which is fiercely guarded by the trade union and allows early retirement to continue:

The pension scheme is almost the one thing that our members treasure and probably if there was ever, ever, ever gonna be a national steel strike in this country again, hopefully God forbid there won't be but it will probably because the company tried to change the pension scheme. That is the one thing now that our lot would fight tooth and nail for. (Community Union Secretary)

Although UK Steel does not have an explicit age management policy, managers and union representatives are working to enhance opportunities for progression, which is a major issue for the company's older, longer serving, workers. After privatization, the company moved from a hierarchical structure with many management layers to a team-based structure with few progression steps between shop floor and senior management. This flat organizational structure has been problematic for both older employees, who lack career progression routes, and managers, who have difficulty staffing critical jobs. According to both managers and the union officer, local union representatives are involved in a management-led initiative to reform the company's team-based structure, but the national union is not. This is consistent with the history of industrial relations in

the steel sector, which has been workplace-based rather than nationally-centred, with the focus of union power at local level (Bacon et al., 1996). Nonetheless, the national union officer noted that his main priority was protecting the occupational pension scheme, as he anticipated large-scale redundancies in the company.

Turning to the UK retail sector, employers' interest in older workers stems partly from problems of high labour turnover, and partly from their desire to use older workers as part of a positive customer care approach. Although the retail workforce is younger than the UK labour market as a whole (McNair and Flynn, 2006), the sector has featured HR policies such as: part-year employment during summer months; recruiting experienced trades people for shop floor posts; and mandatory retirement age abolition. The secretary of the main retail union, Union of Shop, Distributive and Allied Workers (USDAW), spoke positively about HR initiatives in the sector, noting that employers in the sector have sought age-diverse workforce profiles for business reasons such as addressing labour shortages:

There is a perception of retail that it is a job that you go into until a better one comes along. (...) It is seen as a low paid industry but (...) it is a lot more than that.(...) So (...) the ageing population, demographics, all of those reasons are why employers (...) are having to embrace this issue. (USDAW Secretary)

The sector has a long history of seeking workers who could not commit to full-time or full-year employment, including partly retired workers. Nevertheless, flexible work opportunities are mainly limited to front-line and low skilled jobs (Loretto et al., 2005). The USDAW secretary described the union as collaborating with the major employers, including UK Retail, in overcoming negative images of the sector. The union has promoted lifelong learning in order to enhance career opportunities for older and younger workers within the sector. Flexible working was cited as a union priority, as union members prioritize balancing work with other activities, including childcare, education and retirement:

(...) we are actively working with [UK Retail] (...) to influence their approach in terms of going forward (...) to address the issue that people's lifestyles, people's lives, their situations change through the whole spectrum of the life. (USDAW Secretary)

An example of how the sector is actively recruiting the older unemployed was an initiative involving UK Retail working in partnership with third sector employment agencies to recruit local residents in regeneration communities. The scheme offered support for long-term unemployed to re-enter the labour market, with the employment agency offering training and UK Retail guaranteeing job interviews and feedback. Local union representatives supported this approach and were involved in publicizing the scheme within the local community, as well as identifying barriers to work which were preventing local workers re-entering the labour market.

The retail sector in the UK is the third lowest in terms of pension provision, with only 23 per cent of retail employers providing access to any occupational pension scheme (Forth and Stokes, 2010). The UK Retail case study was atypical in providing not only a pension scheme, but a defined benefit one. The USDAW secretary noted that the union's

policies were shaped by recognition that many of its older members were vulnerable to financial insecurity in retirement:

Certainly [UK Retail]'s retirement and pension scheme does give people (...) a far greater advantage than any of their colleagues who work in other retailers to be able to plan when they wish to retire whether that is an early retirement or to plan to stay on because they will know exactly what their level of income is going to be (...). (USDAW Secretary)

Finally, UK Retail featured a unique employment relations structure that included national, regional and store-level forums. As in German works councils, employee representation on these forums is open to both union and non-union candidates, although (also similar to Germany) union representatives tend to dominate the forums. Within the forums, the union promoted the HR policies that could benefit older union members.

Similar to German Steel, German Retail is covered by an industry-level collective bargaining agreement. However, there is currently neither an agreement on demographic change in the industry nor plans to finance ATZ by employers to replace the abolished state subsidy. Moreover, union density in German Retail is very low, and HR managers as well as the works councillor interviewed suggested that the DGB affiliated union *ver.di* has hardly any influence on industrial relations within German Retail. Instead, age management policies are driven by age demographics within the sector and a demand by managers to keep older workers productive. Accordingly, unlike age management, initiatives are focused more on health management than on creating work opportunities for displaced older workers. In September 2007, German Retail organized a conference about demographic change for all personnel managers. A strategy paper was developed, with two activities mentioned in particular. One is the membership in the German Demography Network and the other the participation in the applied research project *Longer Working in Healthy Organizations (LagO)*. German Retail is one of six organizations participating that, together with the Research Institute for Social Research and Social Economy (ISO), develop age management strategies for decentralized organizations. On the basis of site visits and talks with employees, works councillors and managers, ISO developed recommendations for an age-suitable HRM. Instead of concentrating on the employability of those 55 plus, the focus of German Retail is now on all employees. The works councillor, who was the head of the regional works council where *LagO* was piloted, reported that the programme was the first age management initiative with German Retail of which he was aware. The works council was involved in the steering committee, and the works councillor whom we interviewed spoke favourably about practical recommendations that reduced physical work demands on retail staff, some of which were already suggested by the works council in the past. His main concern was to keep retail staff employable until retirement age, as many of these workers would not be able to afford early retirement and for the same reason can often not afford to work fewer hours, even though such a reduction in work would normally be supported by the employer. However, owing to increasing work demands, the works councillor observed that the number of employees who are interested to continue work after reaching SPA has decreased over recent years. In contrast to caring for the existing workforce,

fostering the recruitment of older workers does not seem a priority of the works council at German Retail.

Discussion and conclusion

Union responses may be shaped and constrained by institutional frameworks and practice, and tempered by societal expectations formed beyond the workplace. As predicted, we find more evidence of UK unions willing to engage with lobby groups in wider civil society to promote their cause than in our German case studies. However, we also note variation within national systems, highlighting internal diversity of approaches. USDAW has negotiated a unique, and somewhat controversial, consultation structure with UK Retail which, while creating workplace, regional and national bodies akin to Works Councils, also gives representation to non-union employees. The Community Union portrays itself as a pioneer in community unionism (reflected in its name), supporting displaced members in declining industries through retraining and re-employment programmes (Wills, 2001). The TUC also lobbied jointly with age advocacy groups in favour of the abolition of mandatory retirement. Thus, in the case of age management, the TUC sought to build political alliances in order to overcome the political advantage perceived to be held by the CBI.

German unions, in contrast, continued to focus their efforts more productively on bi-partite or tri-partite consensus agreements at the national and sectoral level. The collective agreement on age management in the German steel industry demonstrated how the union used a variety of economic and political challenges facing the employer to negotiate a set of HRM policies to 'humanize' work.

The alliance building and common cause work which we identified in the UK reflected the need to seek partners within wider civil society, where unions are less integrated as social partners into national policy-making structures than in Germany. In addition to the above-mentioned alliances that the TUC has developed, many unions in the UK also have retired members' sections or branches, which often engage in lobby work (Flynn and Croucher, 2006).

In both institutional settings, processes of renegotiation of the terms of work and employment were tempered by employer and union agreement on older workers' employability. In Germany, the social partners have adopted a dual strategy of protecting early retirement routes and negotiating age equality policies. This approach was consistent at the national and sectoral levels. In the UK, there is also common ground between employers and unions, but the approaches differ in the two sectors. UK Steel and the Community Union have a shared incentive to protect early retirement routes in order to facilitate job attrition, while USDAW and UK Retail had a common goal of bringing in older workers. In this particular instance union and employer goals were in harmony rather than in conflict. There is, however, evidence of policy difference within the union movement, particularly between public and private sector unions, with the former taking a more defensive posture with regard to occupational pension rights (Schulze and Moran, 2006). This may have blunted the potential influence which the UK union movement may have had on government policies on work and retirement.

UK unions, as predicted by Hyman (2001), adopt mainly defensive postures, prioritizing protection of pension rights. This is particularly the case with regard to Community Union. USDAW focuses more on older workers' employability. This is because, although UK Retail funds a defined benefit pension scheme, most employers with whom the union negotiates do not. Further, many people who join the retail sector late in their careers do so because they lack adequate pensions to retire. Individual unions thus pursued age management approaches which were reflective of the British union movement's market orientation: adopting a defensive approach to protecting retirement entitlements as the main goal, with age equality as a fall-back strategy. As we hypothesized, the focus of union strategies tends to centre on the employer, or more closely, the workplace level. This has resulted in some conflicting positions at the national level, particularly with regard to mandatory retirement.

By contrast, and as predicted from Hyman's (2001) geometric model, union measures in Germany were focused on the sector level, with national-level agreements on work longevity. Here the social partners were managing jointly the dismantling of (while simultaneously protecting) ATZ, itself a product of social partnership. German union approaches in the two sectors closely resembled one another, with the steel industry collective agreement being a pioneer in age management. In German Retail, the works council worked with the employer in implementing the LagO programme on health and safety. This reflects a 'society' orientation of German unions, focused on managing reorganization of the macro-economy. Sectoral-level agreements have been reached in the steel sector, providing a minimum basis on which unions have built at company level. Agreements reached at the national level were disseminated via works councils. Whereas in the UK, national- and local-level union activities are generally disconnected (with the exception of UK Retail which, as noted above, operated a unique employment relations structure), works councils in Germany had a coordinating role, implementing national-level agreements. On the other hand, directly age discriminatory HR policies, such as age limits for job posts or mandatory retirement ages, were more readily agreed by unions as part of overall compromises on age management.

We found little evidence in the UK of class-based resistance to government or employer policies on age management. The two unions found more scope for accommodating than resisting employer policies. Where class solidarity has manifested itself is in relation to pensions, particularly in the steel industry. It can also be observed that while British unions' approach to the age agenda has generally taken the form of alliance building (Muller-Camen et al., 2011), they have responded to government plans to end final salary based public sector pensions with more traditional strikes and industrial action.

In conclusion, trade union responses to public and HR policies on pensions and age management could be described as 'path dependent' (Muller-Camen et al., 2011). German unions have continued to use the (albeit faltering) structures of *Modell Deutschland* to maintain consensus, not only with their employer counterparts but also within the union movement. The union response in the UK has been localized, more fragmented and employer-specific. The UK trade union movement and, perhaps more widely, union movements in other LMEs, may find difficulty in maintaining a unified voice in protecting pension rights and advocating age management policies, particularly

as union politics is market centred. Consensus between public and private sector unions may prove unsustainable in the long run. It is indicative of the challenge which the TUC faces in maintaining inter-union unity on the issues of pensions and age management that proponents of public sector pension reform, including the Prime Minister (Chapman, 2008), are describing differences between public and private sector pension provision as ‘pensions apartheid’, while trade unions are citing the gap between company directors’ and ordinary workers’ pensions as the ‘real apartheid’ (UNISON, 2009). While British unions are seeking to place the issues of work and retirement within the context of broader class struggle (a territory with which they are comfortable), employer groups, as well as the present Government see potential in dividing UK workers between those who have and those who lack adequate pensions, thereby attempting to weaken the union movement as a whole.

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Note

1 All four case studies have been anonymized.

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