SPD7/2021/021

Provision of Evidence-Based Research and Delivery of Training: Improving Technical Capacity of Social Partners

Final Research Report
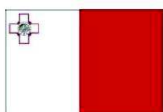
Malta Council for Economic and Social Development

Version: Final 1.0

February 2022

Table of Contents

1 Executive Summary

This report was commissioned by the MCESD in efforts to establish the current levels of technical capacity of the social partners and to determine ways of supporting the latter to develop these capacities as required. The directive was to analyse the information available and propose a number of related recommendations for definitive actions which would yield tangible results to increase the technical capacity of social partners.

Both desk research and in-depth interviews and workshops were carried out with relevant stakeholders in order to gather the necessary information for the purposes of this research.

One must note that technical capacity by itself cannot be as effective when applied to social dialogue than when it is accompanied by adequate core capacities and an enabling environment. Therefore, this study sought to look at all three aspects in parallel to offer a more comprehensive analysis and make recommendations which could truly be of a positive influence.

Through the study, it was determined that the majority of participants to social dialogue hold higher education qualifications, mostly in business-related fields. Yet the same proportion have also indicated that gaps in technical capacity exist in most areas, even though adequate training opportunities do not seem to be available.

Amongst the primary reasons why the social partners believe that technical capacity building is inhibited are lack of resources (human, financial and time), limited mandates, insufficient recognition and a lack of investment to improve internal systems.

A number of actionable recommendations have been presented in this report which have been designed to improve the technical capacities of social partners on the basis of the research undertaken. These recommendations have been categorised into the three factors which make up effective technical capacity building, as previously mentioned, namely technical capacity, core capacity and enabling environment. Amongst the recommendations were training initiatives and information sharing (technical capacity), flexible and convenient delivery of training or information sessions and sharing specialised knowledge (core capacity), making a pool of specialists available to stakeholders for added capacity and specialist input, social dialogue process improvements and planning provisions (enabling environment).

The intention is to provide the social partners with a complete ecosystem which encourages capacity development which would positively impact the quality of social dialogue amongst stakeholders.

2 Introduction

2.1 Purpose, Scope and Design of the Research

Over the past decade, the European Commission has been keen to strengthen the capacity building of social partners in the Member States, as part of a series of initiatives to relaunch social dialogue. In 2014, then European Commission President was calling for stronger emphasis on the capacity building of national social partners.

In 2015, European cross-industry social partners prepared a joint declaration, which was approved at a thematic group meeting in January 2016. As there is no blueprint for social dialogue, the document provides some guiding principles and key messages for different areas on how social partners can be more involved at EU level. It also offered a key message highlighting the need to improve the functioning and effectiveness of social dialogue and the capacity building of social partners in the Member States:

> "Social dialogue requires social partners that are strong, representative, autonomous, mandated and equipped with the capacities needed. Social partners also need to dispose of the institutional settings allowing for their dialogue to take place and to be effective" (ETUC et al, 2016).

On 16 June 2016, the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) adopted the Council conclusions, titled 'A new start for a strong social dialogue'. The document stresses "*the importance of capacity-building of social partners at national and sectoral level, which could contribute – amongst other things – to improved representativeness of European social partners in negotiating their agreements*" (Council of the European Union, 2016).

The Council committed to dedicating fund in order to assist with implementation of actions on capacity building and to encourage knowledge-building and support capacity building "*through mutual learning, identification and exchanges of good practices*" (ibid.). It also called on Member States to "*promote the building and strengthening of social partners capacities through different forms, including legal and technical expertise, at all relevant*

levels depending on the needs of countries and social partners, including to become solid and representative organisations". (Council of the European Union, 2016).

On 27 June 2016, European cross-industry social partners, the European Commission and the Dutch Presidency of the Council of the European Union co-signed the quadripartite statement: A new start for social dialogue. The document underlines the fundamental role of European social dialogue as a significant component of EU employment and social policymaking. The statement identifies actions to be undertaken by the signatories to further strengthen social dialogue at EU and national levels. All parties underline their commitment to continuing promoting the capacity of social partners (ibid.).

The European Commission's Employment Policy Guideline 7 on Enhancing the functioning of labour markets and the effectiveness of social dialogue was adopted by the Council of the European Union on 16 July 2018. It encourages that "*in order to achieve more effective social dialogue and better socioeconomic outcomes, Member States should ensure the timely and meaningful involvement of the social partners in the design and implementation of employment, social and, where relevant, economic reforms and policies, including through support for increased capacity of the social partners*" (Council of the European Union, 2018).

Principle 8 of the European Pillar of Social Rights on Social dialogue and involvement of workers states that '*support for increased capacity of social partners to promote social dialogue shall be encouraged*' (European Commission).

In their joint employment report from 2019, the Commission and the Council state: While there is no one-size-fits-all model, timely and meaningful involvement of social partners in policy design and implementation, including by providing support for increased capacity of social partners, should be considered as a common denominator for well performing and effective tripartite social dialogue systems. The latter is equally true for bipartite social dialogue (European Commission, 2019).

According to the 2019–2021 work programme of the European cross-industry social partners, "*Capacity building activities remain a priority for the European social partners. They recognise that in order for the European social dialogue to have a positive impact, much needs to be done to strengthen and support social dialogue at all levels*".

Finally, in January 2020 the new European Commission under President Ursula von der Leyen published a communication reaffirming the EU's intention to "*explore ways to promote social dialogue and collective bargaining and increase the capacity of unions and employer organisations at EU and national level*" (European Commission, 2020).

Today, through this research the MCESD is looking to focus on technical capacity within the context of capacity building of the social partners. In view of this, the defined primary objectives are the following:

1. To assess the current status of technical capacity amongst social partners.

2. To identify challenges and gaps within the current local social dialogue environment, and compare this to other arrangements which have been successful in their capacity building efforts within their respective social dialogue frameworks.

3. To draw from the research undertaken, both primary and secondary, and make relevant actionable recommendations for tangible improvement in technical capacity building of social partners, to be communicated to and developed with the relevant stakeholders

This report, together with the in-depth research conducted to compile it aim at stimulating objective discussion amongst the social partners, formulate effective strategies and action plans, and generate commitment and joint work on a number of thematic areas.

The involvement of the social partners throughout the research process is critical in determining the status quo, but more importantly in enabling a more formative plan of action with a high degree of collaboration.

Following delivery of the final research paper, relevant training will be developed and delivered to MCESD staff with the aim of enhancing their capacity to communicate with stakeholders and drive the process of actioning the relevant recommendations within social dialogue forums.

2.2 Methodology

2.2.1 Research Methods

Desk research[1] represents one of the chosen research methodologies to address the requirements and achieve the objectives of the project. Specifically, a review of the literature[2] was conducted in order to identify and evaluate relevant previous studies in the field, which would provide insight to the analysis made on the current scenario and environment in which the organisations operate.

Desk research was supplemented with quantitative research through questionnaires, and additional qualitative data gathered through focus groups and in-depth interviews with the aim to achieve the results outlined.

The target population was the social partners due to the fact that participating delegates are appointed therefrom. The population continued to be involved throughout the process to ensure relevance and practical application of the recommendations, and to enhance buy-in.

Therefore, the research includes a combination of:

- Desk research – a literature review;

- Questionnaires completed by existing MCESD council and working group members in order to determine the current status and the effects on the dialogues, as well as the perceptions and beliefs of the cohort;

---

[1] Desk research can be defined as qualitative type of research, in that involves gathering and analysing non-numerical data to understand concepts, opinions or experiences. Qualitative research is by definition exploratory and it is used to define the problem or to develop an approach to the problem / matter under analysis.

[2] According to Snyder (2019), a literature review can broadly be described as a more or less systematic way of collecting and synthesizing previous research. An effective and well-conducted review as a research method creates a firm foundation for advancing knowledge and facilitating theory development. By integrating findings and perspectives from many empirical findings, a literature review can address research questions with a power that no single study may have.

- One-to-one in-depth interviews with identified parties;

- Workshops with identified groups to discuss potential solutions to improve the technical capacity of social partners will be organised to obtain direct feedback from stakeholders after presenting the Feedback Report.

Consolidated, the information collected has been analysed and a number of relevant and actionable recommendations are being presented for further discussion with the social partners, who will themselves be expected to discuss and action them with the aim of effectively enhancing technical capacity within the context of capacity building. As a result, economic and social policies developed through social dialogue would be expected to become more informative and enriched.

Finally, the buy-in of the social partners has been sought through genuine involvement throughout the research process, both at data collection stage and by obtaining feedback following the preparation of the draft report (Feedback Report – see Annex).

2.2.2   Data Sources

As part of the initial desk research, the following information and documentation was provided by the MCESD:

- List of members of the Council and Committees of MCESD, and their representatives within social dialogue;

- Data relating to form and structure of social partners' membership and management;

- SEM research report and presentation entitled Promoting Improved Social Dialogue in Malta: Comparative Research on Social Dialogue in Norway and Malta (MISCO, 2021).

In terms of additional information sources, in-depth research has been carried out on the identified thematic area via reviewing and analysing reports and data provided by public

sector at both national and European levels, EU policy documents or legislative instruments on the subject, and academic studies. A complete list of information sources can be found under Bibliography.

Furthermore, identified stakeholders have been directly consulted to obtain their perspective and feedback. This includes:

- MCESD Staff;

- MCESD Council, Committee and Working Group Members;

- Members and beneficiaries of Social Partners.

2.2.3 Data Gaps and Limitations and Alternative Solutions

Data limitations have been identified and analysed before and during the preparation of the report. Efforts have been made to ensure that the report remains representative and provides reliable and valid results.

Hereunder is a summary of the identified limitations:

Limitation	Relevance	Mitigation Measure
Sample Size / Sample Bias	Each person may give an individual result, but it does not mean that the same result belongs to the whole population	There is no hard and fast rule to dictate sample size, though sample size impacts the level of analysis that can be performed (e.g. reduce independent variables in regression analysis). The sample size has been communicated in the relevant sections of the report.
Replies obtained may not be a representative sample	An overall low response rate or a lower response from particular segments of	Reminder emails were circulated in relation to the surveys and interview

	the population may jeopardise the research findings.	meetings to encourage participation.

Adequate time was provided for survey responses to be completed.

Flexibility was offered with regards to interview sessions in order to increase participation.

Response rates have been communicated in the relevant sections of the report. All segments of the population have been represented, and the results are being considered representative and reliable. |
| Length of survey may impact response rate | Lengthy surveys may impede participation | Draft surveys were circulated to the MCESD for review.

Survey questions were drafted simply, to ensure understanding.

Trials were done to identify time taken to complete interviews – 10 minutes. The average time was communicated to participants. Actual average time taken to complete the survey was in line with the estimate +/- 1 minute. |
| Reliance on the information provided in responses by participants. Incorrect replies would impact data integrity | Respondents may want to be perceived positively, which may result in untruthful and/or inaccurate responses. | Data obtained from surveys was verified through the interviews and feedback sessions. It was also shared with the Contracting |

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

		Authority for feedback and to report any discrepancies.
		Participation was on a voluntary basis, so although they were encouraged, organisations/persons were not made to feel coerced to respond.
		Questions were designed in a neutral manner to avoid positive or negative bias.

3   Research Report

3.1   Definition of Technical Capacity and Capacity Building as Relevant to Social Dialogue

According to the Organisation for Economic Co-operation and Development (OECD), 'capacity' is understood as the "*ability of people, organisations and society as a whole to manage their affairs successfully*" (OECD, 2006). Yet one cannot easily seem to find a definition for 'capacity building'. Floridi et al (2009) argue that "*…despite its increasing importance from the point of view of dialogue and the activities of organisations, there is not, at this point in time, a single, unequivocal definition of the concept of "capacity building*".

The United Nations Development Group (UNDG) has offered a number of relevant definitions in relation to capacity, including:

> **Capacity**: "*The ability of people, organisations and society as a whole to manage their affairs successfully*" (Bester, 2009).

> **Capacity Development**: "*The process whereby people, organisations and society as a whole unleash, strengthen, create, adapt and maintain capacity over time*" (ibid).

> **Capacity Development Support**: "*Refers to what outside partners (domestic or foreign) can do to support, facilitate or catalyse country partners to develop their capacity(ies)*" (ibid).

> **Technical Capacity**: "*capacities [which] are specific to a particular sector or area, e.g., nursing, farming and animal husbandry, primary education, water and sanitation, forestry, etc.*" as opposed to **Functional Capacities**, which are defined as being "*relatively common across sectors or areas such as planning, budgeting, policy-making, financial analysis, strategy formulation and communications*" (United Nations Development Group, 2017).

The European Commission gives the following definition of capacity building in its report Industrial relations in Europe 2008: "*a process of developing organisational, financial and personnel capacities of trade unions and employer organisations and*

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

enhancing their contribution to governance on both national and regional levels". It continues by explaining that capacity building could be achieved through "*training on information, participation and negotiation mechanisms, strengthening the role of social partners in shaping working conditions and the functioning of the labour market, consolidating sectoral structures, improving the link between the national and EU-level social dialogue, assisting the implementation of European social dialogue outcomes and others*" (European Commission, 2009).

Relevant to this study is also the definition of capacity building provided by Eurofound (2016) as the enhancement of the skills, abilities and powers of social partners to engage effectively at different levels (EU, national, regional, sectoral, company and establishment) in:

- Social dialogue
- Collective bargaining
- (Co-)regulating the employment relationship
- Tripartite and bipartite consultations
- Public policymaking
- Influencing public policymaking via advocacy

Therefore, capacity-building initiatives for more effective social dialogue specifically refer to 'process-oriented' capacities, and should help social partners to improve their membership basis and their human and administrative capacities, promote their process-oriented capacities, and support their organisational development.

The Japan International Cooperation Agency (JICA) provides an interesting perspective on technical capacity, stating that efforts to enhance it can only be effective if two other factors are also being considered, namely:

1. The organisation's **Core Capacity**, that is the will, attitude, leadership, and management capabilities; and

2. An **Enabling Environment** which would consist of systems, organisations, infrastructure, policies, resources, etc.

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020
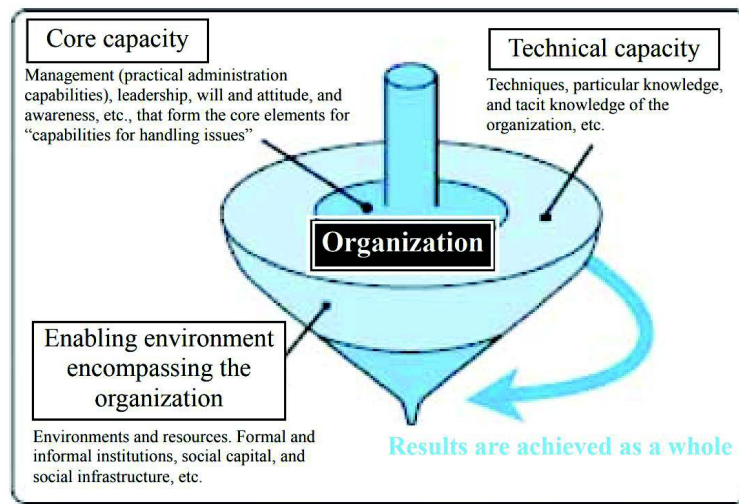
Figure 1 – Basic Model via the Characteristics of Capaci – With the organization as the base point

Source: (JICA Capacity Assessment Study Group, 2008 p. 16)

In 1991, the UNDP and the International Institute for Hydraulic and Environmental Engineering organised the symposium in Delft, the Netherlands (United Nations, 1991). The event delegates defined 'capacity building' which was rather aligned with the JICA methodology, as follows:

- The creation of an enabling environment with appropriate policy and legal frameworks;

- Institutional and organisational development, including community participation;

- Human resource development and strengthening of managerial systems.

The event participants recognised that capacity building is a long-term continuing process, in which all stakeholders participate: ministries, local authorities, non-governmental organisations, user groups, professional associations, academics and more.

Furthermore, the EU's 2016 'Declaration on a new start for a strong social dialogue' assumes that capacity-building initiatives are those that help social partners to increase and/or improve their financial, legal, analytical, institutional and political capacities to do their daily

work at any level, whether EU, national, regional, sectoral or company. It states that *"[c]apacities of social partners in the Member States can be built through e.g., financial, legal, analytical, institutional and political support. This should be ensured at all levels, depending on the needs of countries and social partners, including to become stable organisations"* (ETUC et al, 2016).

3.2 Objectives of Capacity Building in Relation to Social Partnership

Capacity-building initiatives for more effective social dialogue should help social partners to improve their membership basis and their human and administrative capacities, promote their process-oriented capacities, and support their organisational development. **Table 1**, below illustrates the more typical objectives to be pursued by capacity -building initiatives related to social partners within a sample of EU states.

Table 1: Typical objectives of capacity-building initiatives

Area of activity	Objectives
Organisation-oriented capacities (such as membership, human resources and administrative capacities)	○ Set up, maintain or expand a stable membership ○ Inform, organise and protect current and potential members ○ Provide qualified training and counselling, information and communication for members, partners, management and administrative staff ○ Provide and diversify services for members ○ Obtain or maintain appropriate equipment ○ Adapt organisational structures and work practices according to changing labour markets and the impact of globalisation on industrial relations
Process-oriented capacities	○ Set up structures for social dialogue ○ Effectively engage in collective bargaining, social dialogue and dispute resolution ○ (Co-)Regulate the employment relationship ○ Mobilise members for industrial action ○ Participate in policymaking at different levels ○ Participate in international cooperation and interregional/cross-border activities ○ Engage in advocacy

Source: National capacity-building initiatives for social partners: Experiences in five EU Member States (Eurofound, 2017)

3.3 Capacity Building at an International Level

The International Labour Organisation (ILO) is a strong supporter of the key actors of social dialogue and their capacity building, at international level. A major focus of the ILO is developing the capacities of its constituents in all aspects of social dialogue. This includes raising awareness of the benefits of social dialogue as a governance tool, building the institutional capacity of the constituents to participate effectively in social dialogue and policy-making, providing necessary training courses, and developing the structures available for bargaining collectively and complying with labour law. To this end, the International Labour Office offers technical assistance to Member States and pursues efforts to helps them to build the capacity of their tripartite constituents for effective social dialogue (ILO, 2018).

The ILO has also sought to continue strengthening its partnerships various European institutions to enhance the capacity of national social dialogue organisations and to expand their respective knowledge-base in a number of areas, including the 2030 Agenda for Sustainable Development, with the aim of both enhancing technical capacities and to facilitate policy dialogues (ILO, 2018a).

The European Parliament (2018) describes social dialogue as the fundamental right of the European social model.

This section outlines a number of efforts carried out by various institutions, focusing on technical capacity building and capacity development at several social component levels.

3.3.1 ITCILO and Capacity Building: Employer Component

The Employers Young Professionals' Academy (EYPA) is one of the flagship initiatives of the Employers' Activities Programme of the International Training Centre of the International Labour Organization (ITCILO). It is implemented in collaboration with Business Europe and with the financial support of the European Union.

Since 2012, the EYPA has provided tailored and practical training solutions, combining online and face-to-face interactive and practical learning, to over 250 professionals from across Europe. The EYPA's strength lies in its ability to establish a good network of young

professionals across European employer and business member organisations, to upskill young and dynamic staff, and to provide a deeper understanding of the role of employers in engaging in social dialogue and negotiations.

3.3.2 ITCILO and Capacity Building: Worker Component

The ITCILO European Youth Academy on the Future of Work project initiated in 2019 implemented several capacity-building activities, including:

- Training with a three-phase approach which incorporated preliminary online training, a residential academy at the ITCILO, and an online post-academy phase for mentoring and development of national action plans.

- Survey on youth representation in trade unions which mapped out different practices across Europe on youth representation in trade unions.

- A follow-up event which focused on the main areas of the future of trade unions, the future of work, climate change, and violence and harassment at the workplace.

3.3.3 European Cross-Industry Social Partners' Integrated Projects

Since 2004, the Integrated Projects of the EU Social Dialogue have incorporated activities, research, expertise work, conferences, seminars, workshops and other types of meetings aiming to foster effective participation of national social partners in EU social dialogue, as well as to address jointly identified challenges.

In the context of integrated projects and building on previous training and mentoring programmes, in 2014 the European Trade Union Confederation (ETUC) established the European Social Dialogue Academy (ESDA). This capacity-building initiative seeks to promote an understanding of European social dialogue and to strengthen the link between national and European levels. The ESDA provides for a deeper understanding of the processes and actors involved in EU social dialogue and encourages the development of negotiation skills.

Each year, the ESDA welcomes up to 20 trade union representatives from company, sectoral and/or national levels to Brussels for two sessions, with each session lasting three days. Participants receive a comprehensive overview of European social dialogue and the role of trade unions in European policymaking through presentations on policy areas, interactive skills-building sessions, and meetings with different actors and stakeholders.

3.3.4 European Commission Support to Social Dialogue and Capacity Building

Despite the above highly necessary and useful initiatives, the most recent cross-industry social partner project, "The role of the European Social Fund (ESF) in Capacity Building of Social Partners", shows that social partners' needs for capacity building, financed through the ESF, are currently not met in a number of countries.

In the project's final report, the social partners presented proposals on how to improve ESF support in the next programming period, which projects were categorised in two (Tina Weber, 2019):

- Projects providing direct support to capacity building through research, training, networking and joint activities.

- Projects providing indirect support to the capacity building of social partners via deepening their work in specific policy areas, such as health and safety, digitalisation and lifelong learning.

The European Commission has provided financial support to transnational projects carried out by social partners and other active organisations in the field of industrial relations, through three social dialogue budget lines (European Commission, 2019):

- Information and training measures for workers' organisations;
- Industrial relations and social dialogue;
- Information, consultation and participation of representatives of undertakings.

The aim of these EU-funded activities is to promote European social dialogue at cross-industry and sectoral levels. The first two budget lines are considered key sources of

funding for European social partners to respond to Commission consultations and initiatives through capacity-building activities (European Commission, 2019).

In addition to a direct grant to the ITCILO for capacity-building activities, the Commission signed a multiannual framework partnership agreement which includes operating grants aiming to facilitate capacity building through training and research at European level, and to improve the degree of involvement of workers' representatives in European governance.

3.3.5 Factors Influencing Social Partners' Representativeness

In determining the representativeness of social partner organisations, elements other than membership can play a more prominent role depending to the specific characteristics of the national system. In some countries, for example, mutual recognition by social partners is much more important (Cyprus, Denmark, Finland, Ireland, Lithuania, Malta, Slovenia, Sweden and the UK), whilst in others legal requirements regulate representativeness (Bulgaria, Croatia, Czech Republic, France, Greece, Latvia, Poland, Romania and Slovakia) (Sigried Caspar, 2016).

'Representativeness' has various meanings across the EU Member States. According to Caspar et al, it can be identified by "*combining in different ways the criteria of organisational (or "social") strength, negotiating capacity and formal criteria relating to membership or electoral success*" (ibid).

3.3.6 Institutions with a Consultative and/or Advisory Role

A number of Member States have institutions with social partners in a consultative role, and in some cases, there is a clear statutory basis for these institutions to contribute formally to policy-making. For example, in Lithuania, the Government has committed itself to adopting resolutions on relevant economic, employment, labour and social issues only after they have been analysed by the Tripartite Council of the Republic of Lithuania. In France, Portugal, Slovenia and others, certain social dialogue councils allow social, economic and environment stakeholders to participate in the definition and evaluation of public policies which are of social and economic interest (Sigried Caspar, 2016).

3.4 Limitations and Challenges to Social Dialogue and Capacity Building in Europe: Experiences, Trends and Practices

This section was developed by critically reviewing several national reports drafted by the member states over the past decade. Such a wide input allows to map and compare regulations, policies and practices in industrial relations, working conditions, labour markets and employment, as well as in other social policy related areas. This with a view to identify barriers and gaps that hinder social dialogue effectiveness, as well as capacity building.

3.4.1 Structural Gaps in Industrial Relations Systems

An OECD report published in 2006 stated that "*capacity is not only about skills and procedures; it is also about incentives and governance*" (OECD , 2006 p. 7). Floridi et al add that the environment in which capacity building takes place is of utmost importance, both as a factor on which capacity-building possibilities are conditional and, as a factor enabling capacity building to transform (Cf. Floridi, 2009).

Thus, industrial relations systems are an important factor to consider when it comes to capacity building for social partners.

3.4.2 Social Dialogue Recognition

An ongoing issue, and long-term risk, may be that the contribution social dialogue makes to the overall economic development is not sufficiently recognised, even taken for granted, to the extent of neglecting active investment to ensure that its strength is fully maintained.

3.4.3 Lack of Social Partner Capacity or Mandate to Negotiate

The issue represents a considerable problem in Bulgaria and Czechia. According to trade union representatives in Bulgaria, in the process of sectoral-level negotiations some sectoral employer associations declare that they do not have a mandate to negotiate, or to only negotiate with regards to particular steps or subjects of collective bargaining.

In some sectors in Czechia, employers are reported to be uninterested in collective bargaining, or to lack the personnel capacity that would allow them to ensure collective bargaining at sectoral level.

3.4.4 Dominant Role of the State

The autonomy of social partners is an important prerequisite for effective social dialogue. Yet, Welz et al report that a number of European countries raise concerns about an increasing dominance of the state in social dialogue and collective bargaining, in particular Belgium, Bulgaria, Italy and Poland.

According to some of the employer organisation representatives, in Bulgaria the dominant role of the state still exists in the public sector and in the sectors where public-owned companies such as railways, postal services, water supply and road maintenance. In Poland, the system of industrial relations is often described as state centred, having decided unilaterally on most labour and social related matters for the past two decades (Christian Welz, 2019).

3.5 Examples of Good Practice for Capacity Building from the EU

The below overview of good practices across a number of European countries is presented in the following two broad categories:

- Institutional capacity, in particular taking into account the links between the different elements of national industrial relations systems, the autonomy and representative strength of the actors and the supportive role of the state.

- Examples relating more directly to social partners and their structures, in particular good practices focusing on the provision of training or expertise to social partners.

3.5.1 Institutional Capacity

There are a number of Member States which provide institutional capacity within social dialogue through the manner in which the systems are organised and work in practice. Welz et al categorise Institutional Capacity under four main headings, namely:

3.5.1.1 Legislative Level

Legislative level institutional capacity refers to structures within social dialogue which offer stakeholders legislative support throughout the process to ensure that their feedback is duly considered and taken forward if necessary.

For example, in **Belgium**, social dialogue is well defined and embedded in law. Sectoral collective bargaining is in fact organised in structured and statutory recognised joint committees. In the **Netherlands**, the law of workers' councils has institutionalised the importance and role of workers in any negotiation with employers, as well as general representation of workers. In **Spain**, a law passed in 2017 established clear objective criteria for the representativeness of organisations representing the self-employed.

3.5.1.2 Tripartism

True tripartism is in itself an enabler of capacity building, contributing to an environment where technical skills can be applied effectively. An example of good practice is the tripartite tradition of **Cyprus** in which social dialogue for labour and social policy issues has a long history and a shared evaluation of historical success.

3.5.1.3 Collective Bargaining

The ability to undertake collective bargaining without undue influence enables capacity development throughout by allowing stakeholders to be relevant to their roles by applying their technical capacities.

In **Austria**, bargaining capacity is granted almost exclusively to employee and employer organisations above company level. This means that in terms of organised labour, neither company unions nor works councils and, in terms of business, no individual employers (with very few exceptions specified by law) are authorised to conclude collective agreements. Essentially, this means that the capacity of the social partners (above company level) to undertake binding obligations cannot be threatened by divergent pay policies within companies.

3.5.1.4 Supportive Role of the State

In view of the important role of social partners in influencing policy design and state measures, a receptive and supportive government will result in enhanced capacity.

On 2nd September 2015 the **Danish** government and parliament agreed to continue to assign social partners decisive influence on legislation concerning labour market policy and on frameworks concerning the relationship between employees and employers.

In **Portugal**, the Centre for Labour Relations is a tripartite body with technical functions, administrative autonomy and legal personality, which operates under the Ministry of Labour, Solidarity and Social Security. It was established in 2012 to support collective bargaining and monitor developments in employment and professional training.

In **Sweden**, the government chose to reintroduce the right to deduct membership fees on tax declarations from 1 July 2020 in the hope to encourage more workers in Sweden to join a trade union and that the rate of organisation in all sectors will increase.

3.5.2 Structural Capacity of Social Partners

The structures of the social partners can themselves offer a space which is conducive to capacity building. Welz et al categorise Structural Capacity under five main headings, providing examples of good practices of Member States, namely:

3.5.2.1 Membership and Representativeness

In 2017, the **Estonian** Trade Union Confederation (EAKL), together with its member unions, organised a recruitment campaign for trade unions. An important development was the signing of a good practice agreement on extending collective agreements. The agreement set a representativeness criterion for social partners.

The **Romanian** IT union SITT (Sindicatul IT Timisoara) received a 'Breaking Through' award after its campaign to help technology workers organise gained over 1,100 new members in less than six months. The Timisoara IT trade union attracts new members by offering advice and legal assistance provided by well-known law firms for any labour dispute. It also provides professional training for members and cooperation with student organisations.

3.5.2.2 Representing Atypical Workers

In **Denmark**, the LO union opened a dialogue with Uber, the transport and logistics company, and encouraged employers to engage with them with a view to ensuring that Uber observes Danish labour market regulations. Similarly, in **France** a new union was set up in October 2015 with the specific aim of covering drivers not affiliated with taxi companies, including Uber drivers.

The **German** Metalworkers Union (IG Metall) announced a plan for significant investment, up to 2025, in activities that organise crowd workers in the digital economy.

In **Poland**, Uber joined the employers' organisation Pracodawcy RP. In June 2015 the Constitutional court ruled in favour of the right of non-standard workers to join a union, previously only possible for those with an employment contract.

3.5.2.3 Capacity and Mandate to Negotiate

Despite the centralisation trend in **Belgium** in recent years, the strong capacity to negotiate and high degree of autonomy of social partners is shown by the fact that an agreement between social partners is still required (or sought after) if significant changes are proposed by the ministers of labour.

3.5.2.4 Financial Resources

The French law of 5 March 2014 established a new fund to support the social democracy work of employer and trade union organisations which is managed by a bipartite non-profit organisation (AGFPN).

The EU and the **Greek** government fund projects aimed at strengthening the capacity of social partners in Greece for both employers and employees across sectors. The government provides financial support for the institutions and training structures of the social partners.

3.5.2.5 Skills Development

In 2011, the **Estonian** Transport and Road Workers Trade Union collaborated to release the 'Practical collective bargaining handbook', which was co-financed through the ESF. The handbook provides thorough explanations of collective bargaining legislation, processes and collective disputes and serves as a guiding tool for social partners, particularly for trade unions.

In **Greece**, social partner training centres develop various training projects designed to enhance skills in all categories, including general, negotiation, numeric, ICT and soft skills.

In **Latvia**, national-level social dialogue organisations have produced numerous publications about the role of collective agreements, explanations and interpretations of legislation and its amendments, local and EU policy regarding social dialogue and instructions and handbooks aimed at improving the negotiation skills of their members and providing necessary basic knowledge.

In the **Netherlands** some of the major social partners offer training and provide activities to help employers with social dialogue, and in fact it is quite common that employees or employers are sent on training courses on collective labour market agreements.

Both of the **Portuguese** trade union confederations include regular specific actions tailored to improve negotiation skills in their training plans. Since 2017, they have been involved in an EU-funded project to create an e-learning training platform aimed at improving negotiation skills in the domain of collective bargaining.

An interesting skill-development initiative is the 'School of Work', developed by the **Spanish** trade union CCOO. The school was created in 2017 and aims to build skills, such as communication and leadership, to union members, targeting high-level union officers. It is the final phase of the training process for these officers and provides more than just technical skills. The broader aim of the project is to provide capacity building to deal with the most pressing issues relating to the changing world of work, such as digitalisation, demographic changes, European governance, social inequalities, gender dimension and ecological crises.

It is also worth noting that the European Commission launched an online knowledge-sharing platform in 2009, Capacity4dev, with the aim of improving relevant stakeholders' capacity by making knowledge available to them and facilitating collaboration (European Commission, 2017).

3.5.3 European Good Practices Shared in Occasion of the Riga Seminar

The 2019 Eurofound two-part seminar on capacity building for social dialogue aimed to encourage the exchange of information on the capacity needs of social partners, how to address them and on how Eurofound research can be used to support social partners' work in this regard. Participants jointly committed to a number of action points with the aim to

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

"provide the Commission, other union institutions, bodies and agencies, the Member States and the social partners with support for promoting the dialogue between management and labour" (Regulation (EU) 2019/127). A number of good practice examples were shared during the seminars, including:

- **Greece** noted the benefits of using a labour market diagnosis system that predicted and recorded the skill needs of the labour market.

- **Latvia** shared their constructive experience of an exchange visit to Finland that was undertaken by a trade union, where it informed the participants about three different forms of regulations and their respective applications.

- **Latvia** has set up the Tripartite Council which discusses, among other issues, the minimum wage setting mechanism. The social partners, together with the government, chambers and civil society organisations, are part of the council.

- **Lithuania** noted that the agreements in the public sector are renegotiated at national level each year and illustrated the advantages. Lithuania also informed the participants about their Tripartite Council that operates on a national level, noting that if the parties involved in the council disagreed, the government had the executive power to decide on the final solution.

- **Romania** informed the seminar's participants that it was inspired by Germany's minimum wage setting mechanism which involves trade unions, employers, the government and experts, and illustrated related benefits.

3.6 Summary of Main Findings

The below is a summary of some of the more pertinent findings emanating from the wide international research undertaken:

- The JICA model of capacity-building demonstrates that technical capacity by itself cannot result in effective and sustainable development. It therefore proposes a three-pronged model, incorporating technical capacity (the technical skills and tacit knowledge) with core capacity (leadership, attitude, awareness and other core capabilities) and an enabling environment (i.e. with adequate resources, processes and infrastructures).
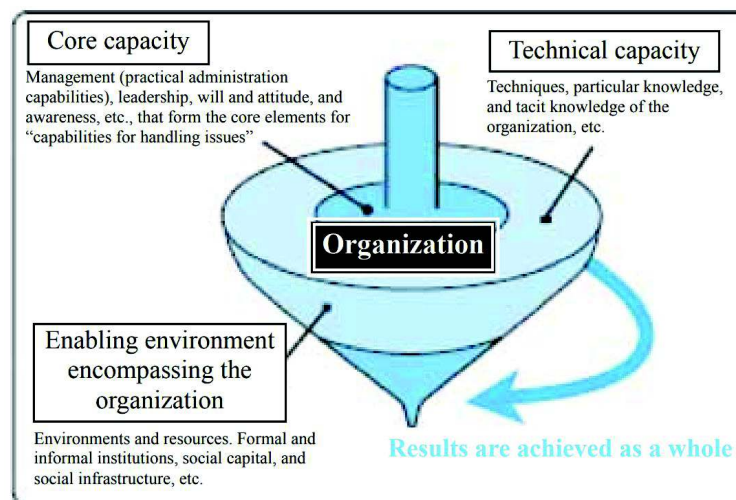
- The International Labour Organisation is a firm supporter of capacity building for the benefit of both employers' and employees' associations. It implements capacity building activities primarily via tailored professional training and seminars.

- At European cross-industry social partners' level, ETUC, Business Europe, CEEP3 and SMEunited jointly run a number of capacity building initiatives including research, conferences, seminars, workshops, experts work, all if it under the programme Integrated Projects of the EU Social Dialogue.

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

- Issues exist in relation to social partners representativeness in a number of EU countries. In particular, these issues are determined by the fast-changing labour environment, and the appearance of new and atypical forms of labour. These new forms of labour are sometimes not sufficiently recognised by the law, given the legislator's slower pace compared to the speed of current labour market. It is also noted that social partners may need to improve their actions in order to identify more quickly any new labour trend and labour market change, hence act accordingly with no delay. Basic market analysis tools and more effective marketing communication planning could provide considerable help to resolve the issue.

- Issues exist in relation to the capacity and capabilities to negotiate. Also, in this instance the issue is related to skills development. Hence, as confirmed by the primary research, training on negotiation and persuasion skills could provide social partners with more effective tools and required capacities to better fulfil their mission and achieve their objectives.

- Exchange visits between social partners from different countries were found a useful mean to share good practices and experiences, as well as develop skills and international collaborations.

- In a 2016 report by the European Employment Policy Observatory (EEPO), one of the obstacles for successful social dialogue listed for Malta was its "limited capacity". The report stated that *"Unions and employers' associations need to increase social partners' technical capacity and access to relevant information (such as foreign and local examples of good practice)"*. It pointed to the "clear" lack of resources and recommended that social partners find ways to pool their resources (European Employment Policy Observatory (EEPO), 2016 p. 35).

- In the 2016 EEPO report, the two main factors which were highlighted as being contributory to the success of social dialogue within a country were (European Employment Policy Observatory (EEPO), 2016 pp. 32-34).:

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

- Solid organisations: in countries such as Austria, where the social partners have sufficient organisational and operational capacity, the parties are supported through the accessibility of experts in various fields which assist in the development of arguments and analysis in the process of forming policy.

- Relying on relationships with the government: the report highlights that "*[in] Malta one of the main success factors contributing to the role of social partners in the design of policies is a favourable political context in which successive governments have facilitated the involvement of social partners on formal consultation and policy-making boards*" (ibid).

- It is worth noting that the European Commission launched an online knowledge-sharing platform in 2009, Capacity4dev, with the aim of improving relevant stakeholders' capacity by making knowledge available to them and facilitating collaboration (European Commission, 2017).

4 Primary Research Findings: A Needs Analysis

Primary research represented one of the chosen research methodologies to address the requirements and achieve the objectives of this project. In particular, primary research was conducted in the forms of one-to-one interviews and close-ended questionnaires addressed to the social partners in order to gauge the social partner's positions, practical outlook and suggestions.

4.1 Questionnaire Findings

Quantitative data gathering was carried out through an online survey which was circulated to all members of the social partners for completion. See APPENDIX – Survey.

A sample of 28 responses were collected, 30% of the total population of representatives who participate in social dialogue. This is considered to be representative of the population, more so since responses were obtained from at least one participant from each committee/working group and sector, meaning that 100% of the social partners were represented (see Demographic Profile of Respondents for a full summary):
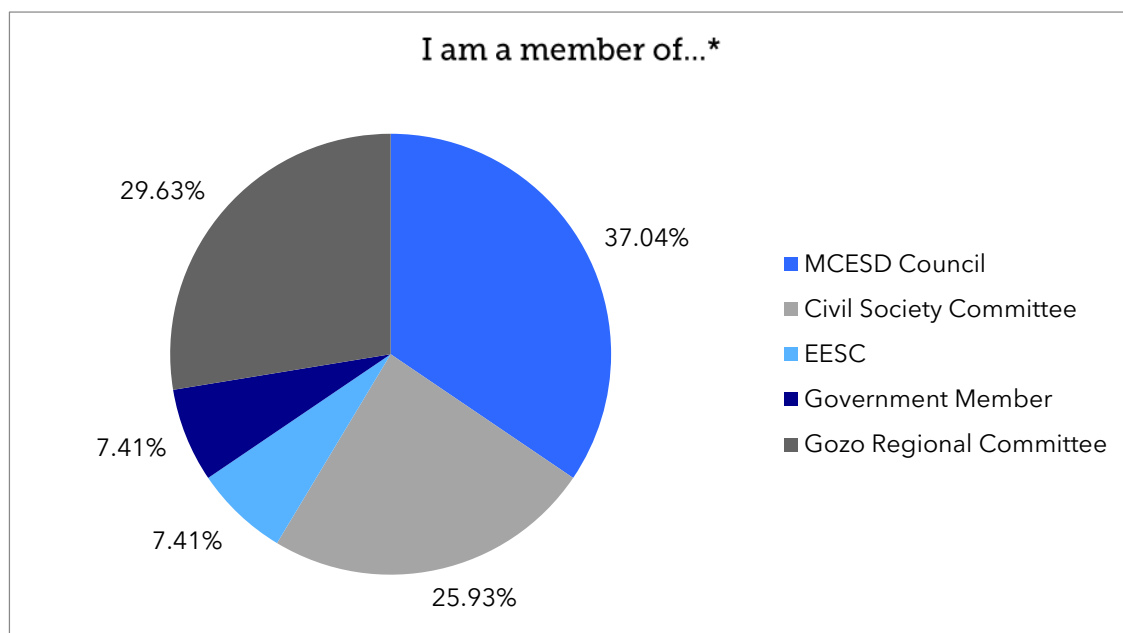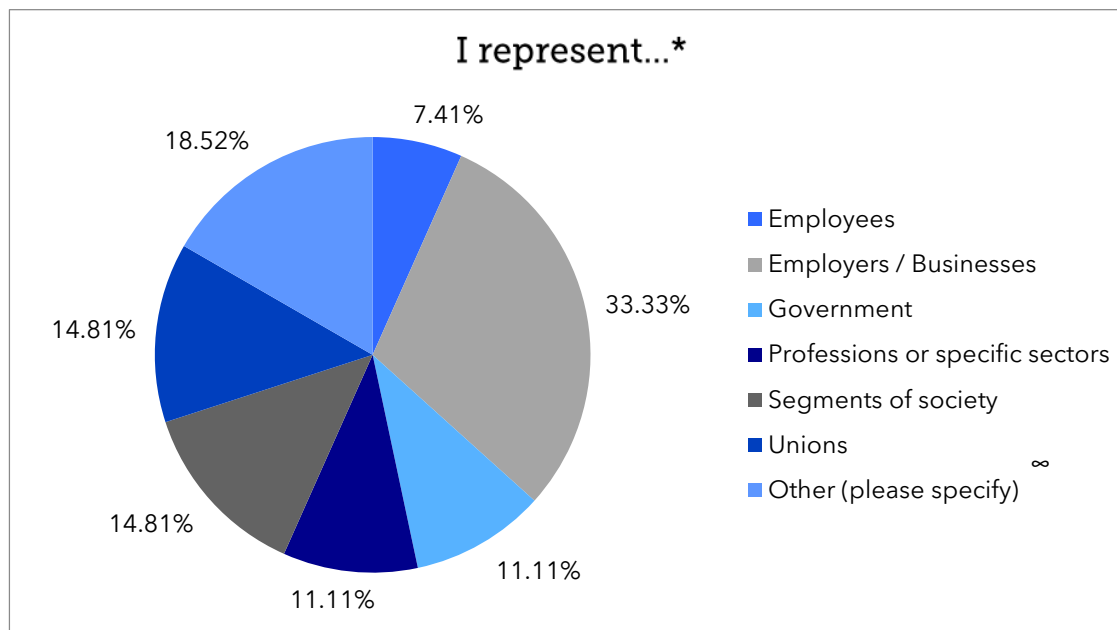
I am a member of...*

- MCESD Council — 37.04%
- Civil Society Committee — 25.93%
- EESC — 7.41%
- Government Member — 7.41%
- Gozo Regional Committee — 29.63%

I represent...*

7.41%

18.52%

33.33%

14.81%

14.81%

11.11%

11.11%

- Employees
- Employers / Businesses
- Government
- Professions or specific sectors
- Segments of society
- Unions
- Other (please specify) ∞

Multiple replies to this question were possible.

∞ 'Other' included: Disability Sector, Voluntary Organizations, NGOs, Local and Regional Councils, Students

The completion rate was that of 68%[3], with the average time taken to complete the survey being approximately 9 minutes.

A full summary of the research results can be found in APPENDIX – Survey Results.

The following points of note emerged from the survey responses:

---

[3] The Completion Rate is the percentage of survey takers that completed the entire survey.

4.1.1 Stakeholders' Skills and Experience

- Two-thirds of participants had a Bachelor's, Masters or Doctorate degree (66.7%), 18.5% studies up to post-secondary level, whilst 14% hold professional qualifications or technical/occupational certificates.

- Half of the sample (50%) is qualified in business-related topics, whilst the next most common areas of study were social and political sciences or public administration (21%). The remaining 29% is qualified in various other fields such as languages, environmental studies, finance and sciences. It is worth noting that none of the respondents stated that they were qualified in Law, Medicine, IT, Engineering or the Arts.

Area of study

Area of study	Percentage
Other (please specify)	10.71%
Sciences (other)	3.57%
Public Administration	3.57%
Social & Political Sciences	17.86%
Medicine	0.00%
Law	0.00%
Languages	7.14%
Information Technology	0.00%
Finance	3.57%
Engineering	0.00%
Education	3.57%
Business and Economics	25.00%
Business Administration	25.00%
Arts	0.00%
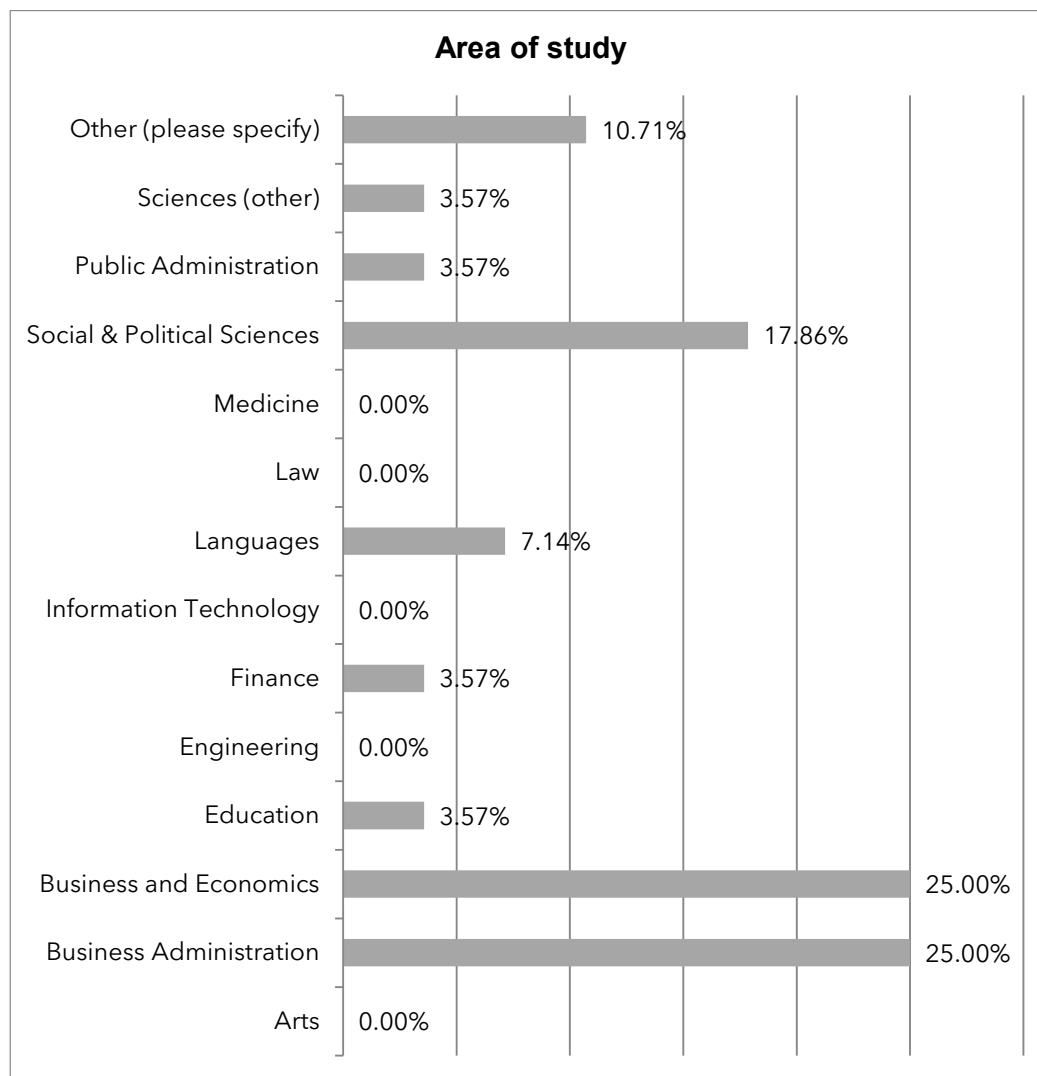
- More than half or respondents (52%) have stated that their participation in social dialogue came about because of their qualifications, expertise in specific fields or their relevant skills. A third (33%) stated that their participation was a result of their involvement in various organisations or committees and working groups.

- 78% of the respondents have 3 or more years of experience participating in social dialogue, with 44% having experience of more than 8 years.

I have been involved in social dialogue for…

Legend: Less than 1 year | 1 to 3 years | 3 to 8 years | More than 8 years

Pie chart values: 0.00%, 22.22%, 33.33%, 44.44%
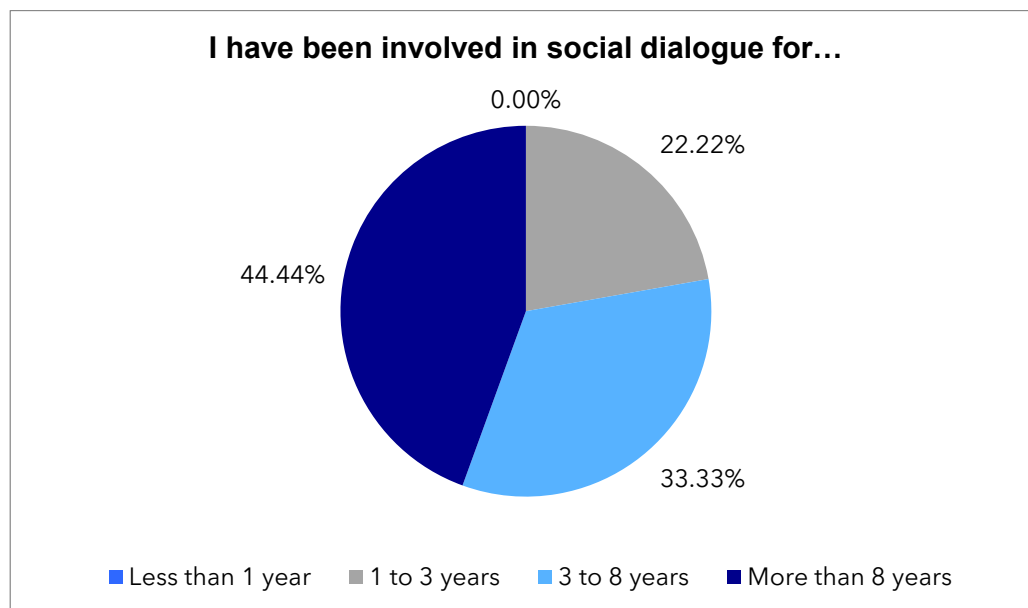
4.1.2 Participation in Social Dialogue

- The vast majority have stated that they feel that they are expected to provide critical feedback in relation to the topics being discussed (85%) and to report back (81%). However, less than half feel that a part of their role involves presenting information to participants for discussion (41%) or offering a professional or personal opinion on specific topics (48%).

- When asked which topics discussed during social dialogue are of critical importance to them, more than half referred to COVID-19, environmental issues and employment-related topics.

Impact of COVID-19	62.96%
Environmental Issues	62.96%
General Employment conditions, the workforce and labour legislation	51.85%
Female participation	44.44%
Work-Life Balance	44.44%

Social Issues	40.74%
Technology and digitisation	40.74%
Pensions	37.04%
Funding and financial considerations	29.63%
Legislation	25.93%
Other (please specify)*	25.93%
Foreign Policy	7.41%

*'Other' included: Disability, Tourism, Cultural Heritage, Good Governance and Operational Costs and issues in business.

- 76% feel that the process of selecting members for social dialogue is fair and effective, whilst 20% are neutral in this regard.

- The vast majority (84%) feel that there is a balance of opinions coming from people of different backgrounds and expertise within social dialogue forums.

4.1.3 Capacity Building

- 40% of respondents feel that they are provided with adequate resources and tools in order to contribute effectively to social dialogue (such as personnel, time, budget, skills, etc.), whilst a quarter (24%) disagree and around a third (36%) neither agree nor disagree with this statement:

Kindly indicate the degree to which you agree with the following

	The structure and processes employed in the context of social dialogue are effective	The committee(s)/workg roup(s) which I form a part of have expectations of my role which are aligned to my own	I have the required resources and tools in order to contribute effectively (personnel, time, budget, skills, etc)
Strongly Agree	8.00%	24.00%	4.00%
Agree	44.00%	60.00%	36.00%
Neutral	28.00%	8.00%	36.00%
Disagree	16.00%	4.00%	20.00%
Strongly Disagree	4.00%	4.00%	4.00%

- Only 20% feel that there is no need to upskill social partners in any area, and up to 28% have no particular opinion either way. The largest skills gap seems to lie with **Policy Making and Advocacy**, where 88% of respondents feel there is a need to strengthen the skills of participants in this area; this is followed by **Research Methods and Analysis** (84%), **Marketing, PR, Communication and New Service Development** (80%) and Industrial Relations and Negotiations (52%).

It would be required / necessary to strengthen the skills of social partners' representatives / personnel in the following areas of expertise:
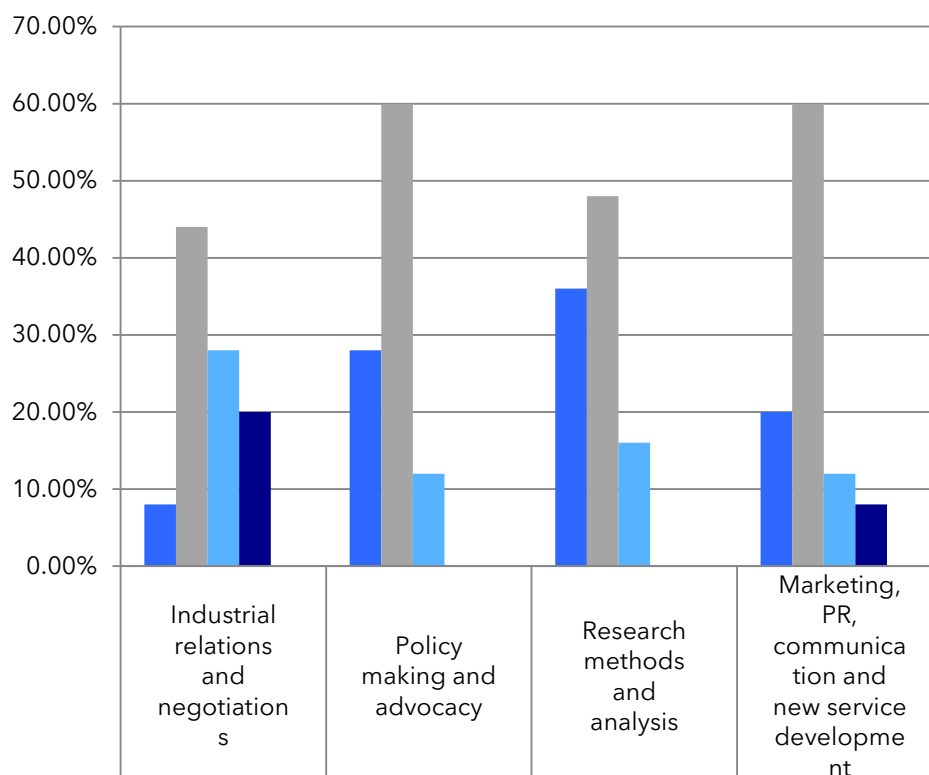
	Industrial relations and negotiations	Policy making and advocacy	Research methods and analysis	Marketing, PR, communication and new service development
■ Strongly Agree	8.00%	28.00%	36.00%	20.00%
■ Agree	44.00%	60.00%	48.00%	60.00%
■ Neutral	28.00%	12.00%	16.00%	12.00%
■ Disagree	20.00%	0.00%	0.00%	8.00%
■ Strongly Disagree	0.00%	0.00%	0.00%	0.00%

- Two-thirds (68%) of respondents feel that training opportunities in the areas of concern are not particularly available.

Training opportunities / modules are not available
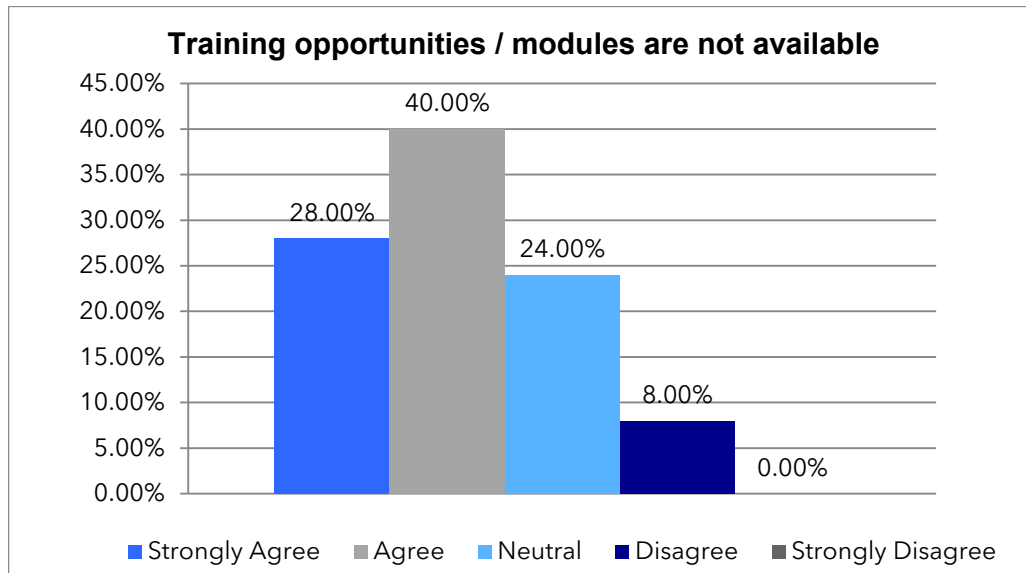
- The respondents provided clear feedback in relation to areas which they feel are lacking and effectively inhibiting capacity building within social dialogue.

  - The most prominent issue, encountered by 91% of respondents, was lack of human and financial resources.

  - There also seems to be a strong feeling that the members have limited capacity and mandate to influence state decisions in a material way (83%) and that their contributions are not duly recognised (74%).

  - Around two-thirds (65%) feel that social actors are fragmented and tripartite social dialogue is limited or decreasing, which is essentially hindering their ability to participate effectively within their respective forums.

  - Approximately half of respondents feel that there is a lack of investment in internal systems (57%), that training modules/trainers are unavailable (52%) and that their roles are not well defined (48%).

- Furthermore, 52% feel that there is lack of support from MCESD, which also effectively inhibits capacity building within social dialogue.

- On the other hand, many were neutral about, or did not agree, that they were being inhibited from effective capacity building as a result of lack of trust between the social partners (74%), low levels of representation of social partners (70%), salary expectations (65%) or limited autonomy (65%).

I feel that the following factors may be inhibiting effective capacity building in social dialogue:	Agree / Strongly Agree	Neutral	Disagree / Strongly Disagree
Lack of resources (HR / funds) represent an issue affecting our activities	91.30%	8.70%	0.00%
Limited capacity / lack of mandate to negotiate on and influence government policies and legislation	82.60%	13.04%	4.35%
Contribution made by social dialogue to economic and social development is not sufficiently recognised	73.91%	17.39%	8.70%
Fragmentation of social actors	65.22%	17.39%	17.39%
Limited or declining tripartite social dialogue	65.21%	26.09%	8.70%
Lack of investment in internal systems has an impact on the effectiveness of our activities and actions	56.52%	34.78%	8.70%
Unavailability of training modules/trainers	52.17%	21.74%	26.09%
Lack of support from MCESD	52.17%	13.04%	34.79%

Lack of definition of expectations / roles of social partners	47.83%	34.78%	17.40%
Limited social partners' autonomy	34.78%	34.78%	30.44%
Salary expectations	34.78%	52.17%	13.05%
Representation gaps due to labour market changes, new / atypical forms of work	30.44%	43.48%	26.09%
Low social partners' representativeness	30.43%	30.43%	39.13%
Lack of trust between social partners	26.09%	47.83%	26.09%
Weakness of the social partners	21.74%	52.17%	26.09%
Lack of collective bargaining coverage	13.05%	60.87%	26.08%
Lack of sectoral collective bargaining	4.35%	60.87%	34.79%

4.2 Findings from Interviews with Social Partners

In order to supplement the surveys, qualitative data was collected through 5 in-depth interviews which were carried out with representatives of the social partners. This was done in an effort to determine the perception on the ground of the status quo and to obtain better visibility of how any efforts could be practically applied within the context.

Interviews were held online, with some conducted on a one-to-one basis and others in groups of 3 or 4 persons. 17 individuals, with at least one representative of each of the main stakeholders, were invited to provide input through the interviews. Due to time restrictions and other commitments, a total of 7 members participated in the interviews, representing 4 of the 7 main social partners (60%) and 2 of the 3 main forums of discussion at MCESD (66%), being the Council and the Civil Society Committee.

The participants are listed in APPENDIX – Interviewee List.

The following points of interest emerged out of discussions held:

4.2.1   Participation in Social Dialogue

- Representation to social dialogue forums within the majority of the organisations represented is selected through a bottom-up approach, where members select their representatives, who may in turn elect delegates to form committees which would contribute to social dialogue through selected individuals. Interviewees seem to deem this a fair and democratic process overall.

- Social partners have applauded the flexibility of the MCESD when it comes to representation at meetings: since it is possible to be represented by different individuals at each meeting, stakeholders are able to send the most relevant, knowledgeable person depending on the topics to be discussed.

  This is possible for the larger organisations, but more difficult for the smaller ones which do not have a large enough pool of members.

  In such instances, pre- and post-meeting follow ups are organised to ensure alignment, however the individual representing the organisation would be empowered to provide their feedback and make ad hoc decisions during consultative forums.

- Some social partners have members who are from different nationalities, and at times may require interpreters for important congregations.

- Some of the stakeholders stated that they regularly offer their members opportunities to attend and participate in information sessions and training. The level of attendance and interactivity varies based on the topic in question.

- Some social partners have taken to organising meetings, seminars and other interactions at particular times which are most convenient for the majority (10am –

11.30am and 2pm to 3pm), whenever possible. Some social partners organise meetings a number of weeks ahead to allow for adequate planning.

- Stakeholders such as the Malta Chamber and the Civil Society Committee have a wide representation across sectors and societal groups (nationality, gender, age, etc). However, they still find difficulties when trying to elicit feedback when it is required. Today, there are efforts to increase participation through online sessions, surveys and the like.

4.2.2 Stakeholders' Skills and Experience

- There does not seem to be a manner of filtering those who are appointed to represent their respective groups on social dialogue forums, nor a certain minimum level of requirements. The only requirement, as per the MCESD Act, is to include representation of specific sectoral groups within the core group. Within the MCESD Council itself, the representatives would normally be the top people of each of the organisations being represented.

- Where a subject is outside the specialisation of the member groups themselves, some will seek to collaborate with other parties within their network in order to enable more effective discussions based on expert guidance and opinions.

- It was noted that stakeholders include a number of individuals with holistic backgrounds and experiences, both in the public and private sector, with others who are experts in their relevant fields. One's training and experience, and the sector from which they are, impact their level and the type of participation.

- Some form of experience as part of the stakeholder's organisation or in similar organisations, especially at an EU level, is normally preferred when selecting participants. So is exposure to trade unions and government entities and some political acumen.

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

- It was noted that there have recently been improvements at MCESD Level through the establishment of different working groups and subcontracting to experts in the policy area being discussed.

4.2.3 Gaps in Technical Capacity

- There seems to be an ambition to encourage those who participate in social dialogue to be more in touch with the members which they represent by enhancing communication skills as well as interaction opportunities. For example, the MEA is attempting to strengthen discussions with members by creating online forums for open feedback and discussion, although the success of these efforts is yet to be determined. Sometimes, it is the availability of one's time that might hinder their ability to communicate and the manner in which they do so.

- It was noted that some stakeholders would at times provide arguments which are not well-researched, without necessarily representing their own entity's interests or considering potential negative implications on other entities or sectors. Sound knowledge and backing on the topics being discussed is necessary in order to enable more valid discussions amongst stakeholders.

- All interviewees stated that whilst the members hold relevant competencies and experience, there is room for improvement to at least some extent. Below is a non-exhaustive list of skills which are deemed by the stakeholders as being necessary, yet seem to be lacking to some degree:

Topic	Stakeholders	Description and Status
Collective bargaining	GWU	Competency exists but requires improvement.
Communication Skills	MEA	There seems to be a lack of adequate interaction with members and there is a need to strengthen this.
	Civil Society Committee	Requires training on how to get one's message across effectively. Availability of time might also hinder one's ability to communicate.
Conflict Resolution	GWU Civil Society Committee	Due to the inherent nature of social dialogue, this skill is generally useful.
Drafting of social policies	GWU	One would expect more significant participation by stakeholders.
Economics	The Malta Chamber	General knowledge would be beneficial to all social partners.
EU Affairs	The Malta Chamber	Both general and specific knowledge of certain important areas is essential.
Leadership and Decision Making	The Malta Chamber	It is important that those involved in social discussion are able to make informed decisions bearing in mind their members' interests.
Legal matters	MEA	In cases where the discussions relate to specific legal matters such as employment or data protection laws, the MEA would seek to collaborate

	The Malta Chamber	with the DIER and DPC for specialised insights. There are various instances where knowledge of certain relevant legislation would aid stakeholders in social dialogue forums.
Lobbying Skills	The Malta Chamber	Such skills are essential in the ambit of social dialogue, and seem to be lacking.
Negotiation Skills	Civil Society Committee	Negotiation skills are very important in social dialogue, but seem to lack in certain players.
	The Malta Chamber	Skills of persuasion are essential. One should also learn how and when to compromise.
Public Policy	The Malta Chamber	Some level of background on policies would help when lobbying and pushing agendas on behalf of the stakeholder members.
Research and Analysis Skills	The Malta Chamber	Skills are required to enable stakeholders to make and present well-researched arguments and feedback during social discussions.

- The importance of basic knowledge about certain topics and one's ability to be conversant on a variety of fields was noted as being an asset to position Malta as an attractive country for foreign direct investment. Social partners represent the country in international dialogue and portraying certain competencies, including both technical and soft skills, would leave a good impression and improve its competitiveness.

- It was also noted that whilst specific external expertise can be acquired, the role of social partners was to provide feedback which was representative of the organisations which they represent. Therefore, skills at various levels are required to enable execution of this important role. For example, communication and project management skills could in fact provide the necessary tools to enable stakeholders to organise feedback collection and adequately convey it.

4.2.4 Lack of Resources

- Many participants in social dialogue wear multiple hats, which some interviewees have attributed to resource levels. This causes two main issues:

  - Even though social partners may want to participate, the time available to do so is limited since they are not fully dedicated to the role and their other commitments are often onerous;

  - Specialisation is difficult, and this may also be reflected in feedback provided, especially when it is in certain fields requiring expertise. The members themselves may not always have the necessary expertise to contribute to discussions in a significant manner.

- Social partners repeatedly stated that they lack enough time and resources to enable effective participation in social discussions at the level they deem appropriate. Collaboration with partners may be sought when certain expertise is necessary, however it was repeatedly stated that gaps still exist.

- There seems to be an overall lack of desire to become involved in social dialogue, hence dialogue seems to be made by practically the same cohort. Some interviewees commented that there is lack of visibility and general understanding of what social dialogue entails, and that there is not much effort to encourage more involvement in this area.

- A number of interviewees suggested that more people should become involved to provide for the gaps in specialisations. This will help them move away from being a "Jack-of-all-trades" due to the lack of resources which currently does not allow them to specialise.

- The remuneration of representatives is deemed to be low, especially when considering the efforts required, and may therefore not be attractive enough to entice certain highly skilled individuals to participate within social dialogue forums.

- Partners also recommended that should they have access to a team of experts to help with report preparations and offer consultancy, which would assist them in the execution of their responsibilities to a better extent and would be of great support.

4.2.5 Inhibiting factors to Capacity Building

- A recurring theme emerging in the majority of discussions was that social partners are frequently asked to provide feedback on important matters within a short period of time. This creates a strain, but sometimes also means that feedback provided cannot be of the desired level or is not comprehensive enough, especially where specialist input is required. This makes it difficult to enable the social partners to provide comprehensive and adequately constructive feedback.

- Social partners voiced their frustration with regards to feedback which they would have provided or issues which they raise, where they receive no feedback or see no action being taken. This is even more so considering the time and efforts made in their otherwise busy schedules to ensure that their participation is of a certain quality and offers value.

- Information on various subject matters is shared with social partners for feedback, but this often seems to happen at an advanced point of progress, which would likely make it difficult for social partners to influence government's decisions.

- The stakeholders do not seem to have visibility of the state's plan of action for the short to medium term, which would assist and guide them in their preparations and discussion to prioritise and better allocate resources as may be necessary in a timely manner. This has also led to a reactive approach from stakeholders, rather than one with more initiative.

- Stakeholders feel that they should be empowered to make certain decisions on behalf of their organisation, in order to enable them to negotiate and participate more effectively in social discussions.

5 Recommendations and Conclusions

Based on the research undertaken, one could pinpoint a number of factors which may directly or indirectly impact the level of technical capacity of the social partners and their ability to continuously develop this.

5.1 Recommendations

Based on the research analysis and results as outlined herein, a number of actions are being listed for consideration in efforts to improve the technical capacity of social partners and contribute to more effective social dialogue.

The recommendations have been categorised in three sections, representing each of the main factors which need to be considered when building an ecosystem for technical capacity building.

5.1.1 Enhancing Technical Capacity

The technical skills of social partners may be improved through a number of efforts, including:

1. Planning and implementing a series of tailored training initiatives to provide social partners with new skills, as well as strengthening existing skills, in a number of identified areas of expertise, namely:

   Technical Skills:

   - Collective bargaining
   - Drafting of Policies
   - Economics
   - EU Affairs
   - Relevant legal matters (employment law, data protection, and various other legislations)

- Lobbying
- Negotiation Skills
- Public Policy
- Industrial relations

Supplementary Skills:

- Communication Skills – to enhance interaction with members within an organisation and between stakeholders, to improve on message delivery, public speaking and relations, etc.
- Research and Analysis skills
- Conflict Resolution
- Leadership and Decision Making
- Marketing

A skills gap analysis exercise would ensure that the necessary skills are covered and prioritised. Adequate planning of the training methods, timelines, attendees and other factors are also of considerable importance to ensure effective knowledge transfer.

2. Encouraging information-sharing and collaboration within and between stakeholders. This could be done, for example, by sharing certain resources (human, information, contacts, etc) which are at hand with other social partners when the need arises.

3. Use and look into membership to the European Commission's Capacity4dev portal which is already available and offers an extensive knowledge database and collaboration platform in relation to EU projects, policies and international research amongst other information.

5.1.2 Additional Recommendations to Enable Capacity Building

Technical capacity by itself cannot be as effective as when it is combined with efforts to improve both the core capacities as well as the environment to enable development. The following recommendations are intended for this purpose:

Core Capacity

4. Training and information sessions should be made available at times which are convenient to attendees, and delivered via channels which allow for more flexibility and thus greater attendance and attention, such as mixing live online and in-person sessions together with e-learning modules available on demand.

5. The length of training and information sessions should be adequate in relation to the topics being covered, without being overburdening on the participants' time since many have stated that their time is already very limited.

6. Identified individuals should be trained in specific technical areas which vary by individual. This would reduce the dependence on a "Jack-of-all-trades" approach, where an individual would become a reference within the organisation and for other stakeholders in a particular subject, and themselves refer to others for expertise in other areas.

Enabling Environment

7. A pool of specialists can be made available: Bringing together a team of experts in various fields of specialisation, both male and female so long as both genders are equally involved, which are made available to the social partners for reference as needed. These individuals would participate in social dialogue based on their various areas of specialisation and referred to depending on the topics being discussed.

Inclusion and participation would be based on each individual's merit, and their role would be to discuss ideas and provide more insight to the government and social partners outside of the current circle.

In order to make these specialists more accessible, a defined application process should be developed for pre-approval. Referral of social partners to approved specialists could then be quicker and more efficient, especially considering the tight time frames to provide feedback which have been reported. Further support should be provided through adequate resources and structures to enable stakeholders to access this pool of specialists as and when required, even at short notice.

Consideration should be taken for cases where opposing arguments need to be made on specialised topics by the various stakeholders. To cater for such cases, where possible multiple field experts should be included on the list.

Note should also be taken to include fields of expertise which are very specialised, such as scientific researchers, farming, environmental sciences, and many others.

Inclusion and participation within the specialists' pool would be based on each individual's merit (knowledge, experience, attitude, etc.), and their role would be to discuss ideas and provide more insight to the government and social partners outside of the current circle. This approach would seek to adjust for certain challenges which were highlighted, such as the length of tenure which hinders innovative discussions, lack of resources and expertise.

8. The time and effort required to contribute to social dialogue may itself be discouraging for some, and measures may be introduced to enable participation. For example, offering the ability for participants to take on secondary, consultative roles, which would require less intensive contribution but which would nonetheless allow them to participate effectively in discussions where they would be able to provide valuable input.

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

9. Encourage participation in social dialogue, possibly through awareness campaigns and information about what social dialogue entails, marketing positions externally from the closed group to attracting more highly skilled individuals in various gap areas who can contribute to the discussions more proficiently.

10. Establish a minimum feedback period when seeking to obtain feedback from stakeholders, which must be adhered to, in order to ensure they have adequate time to review proposals correctly and refer to external professionals as may be required.

11. Establish processes in place to ensure that feedback provided by the social partners is considered constructively once it is provided, and that feedback is returned.

12. Government could share its high-level annual action plan with stakeholders to enable adequate planning of efforts and resources. Communications with government organisations could also be enhanced with a view to better plan ahead and to cultivate a more proactive approach from social partners on important matters.

13. Provide stakeholders with access to information and tools, including templates and resources, which would enable them to present proposals in the format which the government requires and which includes the necessary compilation of considered information (for example, including cost estimates, projections, technical data).

Note that feedback from all social partners was sought at different stages of the research process, including the initial information-gathering phase through surveys and in-depth interviews and workshops.

A Feedback Report was prepared and shared with all social partners, summarising the research and recommendations. A copy of the Feedback Report can be found in ANNEX – Feedback Report. An open feedback discussions session was organised, allowing stakeholders to participate at their convenience to provide any feedback. Alternatively, feedback could be provided in writing via email.

The feedback obtained in the final phase (i.e. after sharing the Feedback Report) was received from 3 of the stakeholders. The low level of feedback can be attributable to 2 main factors:

- Limited resources and time to invest in reviewing the preliminary research report and provide adequate feedback; and/or

- Discussions with the majority of stakeholders were already held throughout the research process, and their views duly reflected in the research and recommendations outlined in the Feedback Report.

Nonetheless, all efforts to provide feedback were deemed to be adequate and helpful in finalising the report and have been taken into account herein. Some of the recommendations have been updated accordingly following feedback.

Once these recommendations are discussed amongst the stakeholders in greater detail and any relevant action plans developed, a review on the progress and status of implementation would also be recommended as a part of the action plan to ensure success and make any necessary adjustments.

5.2 Conclusions

From the analysis of the research undertaken, one can say that it is important to develop technical capacity, however this by itself is not enough to encourage effective social dialogue.

Many research, including the UN findings of 1991, indicate that technical capacity of social partners needs to be a combination of:

- Development of the human resources of the social partners through training initiatives;
- Strengthening of the managerial systems and the development of Institutional and organisational frameworks to support capacity building;
- Creating an enabling environment with appropriate policy and legal frameworks.

This report has analysed the current status from these angles, looking to make actionable recommendations which would lead to a sustainable system of development which would ultimately positively impact social dialogue.

6 Bibliography

Snyder H. (2019), 'Literature review as a research methodology: An overview and guidelines', Journal of Business Research, Volume 104.

Bechter, B., Brandl, B. and Prosser, T. (2017), 'Engagement in European social dialogue: An investigation into the role of social partner structural capacity', Industrial Relations, Journal, Vol. 48, No. 4.

BusinessEurope (2019), 'The future of the social dimension in Europe', Brussels.

BusinessEurope, CEEP, ETUC, UEAPME, Dutch Presidency of the Council of the European Union and European Commission (2016), 'A new start for social dialogue: Statement of the Presidency of the Council of the European Union, the European Commission and the European social partners', Brussels.

CEEP (undated), 'Social services in European cross-industry social dialogue: Towards a strong and deeper involvement', Brussels.

CEEP and ETUC (2018), 'Analysis of implementation of SPs FA, the outcome of CEEP–ETUC project 'Training and Promotion of Social Dialogue Measures for Public Services', Brussels.

Connolly, H., Marino, S., & Lucio, M. M. (2014), 'Trade union renewal and the challenges of representation: Strategies towards migrant and ethnic minority workers in the Netherlands, Spain and the United Kingdom'. European Journal of Industrial Relations.

Council of the European Union (2015), 'Council Decision of 5 October 2015 on guidelines for the employment policies of the Member States for 2015', Official Journal of the European Union, L 268/28, 15 October.

Council of the European Union (2016), 'A new start for a strong social dialogue – Council conclusions (16 June 2016), SOC 421, EMPL 280', Brussels.

Council of the European Union and European Parliament (2019), 'Regulation (EU) 2019/127 of the European Parliament and of the Council of 16 January 2019 establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75', L 30/74, Official Journal of the European Union.

European Employment Policy Observatory (EEPO). 2016. The role of social partners in the design and implementation of policies and reforms. Brussels : European Commission, 2016.

EMCO (Employment Committee) (2018), Review on the involvement of social partners in the design and implementation of reforms and policies at national level, Note to the EMCO informal, 22–23 March.

ETUC, BusinessEurope, CEEP and UEAPME (2018), Capacity building of social partners and the European Social Fund: Recommendations of the European social partners, Brussels.

ETUC, BusinessEurope, CEEP and SMEunited (2019), European social dialogue work programme 2019–2021, Brussels.

Eurofound (2016), Mapping key dimensions of industrial relations, Publications Office of the European Union, Luxembourg.

Eurofound (2017b), National capacity-building initiatives for social partners: Experiences in five EU Member States, Dublin.

Eurofound (2019b), The involvement of social partners in national policymaking, Publications Office of the European Union, Luxembourg.

European Commission (2016), Employment and social developments in Europe: Annual review 2016, Publications Office of the European Union, Luxembourg.

European Commission (2018d), Guidance note: Social dialogue: European Semester 2018/2019, Brussels.

European Commission (2019c), Integrated projects of the European social dialogue: Capacity building and ad-hoc social dialogue activities 2019–2020, VP/2018/001/0001, Brussels.

Floridi, M., Sanz-Corella, B. and Verdecchia, S. (2009), Capitalisation study on capacity building support programmes for non state actors under the 9th EDF, IBF – International Business Consulting, Brussels.

ILO (2018a), ILO programme implementation 2016-17, International Labour Office, Geneva.

ILO (2018b), Social dialogue and tripartism: A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, International Labour Office, Geneva.

ITCILO (International Training Centre of the International Labour Organization) and BusinessEurope (2018), 2012-2017 Employers' Young Professional Academy (EYPA) impact evaluation report, ITCILO, Turin, Italy.

Marino, S., Penninx, R., & Roosblad, J. (2015), 'Trade unions, immigration and immigrants in Europe revisited: Unions' attitudes and actions under new conditions'. Comparative Migration Studies, 3(1), 1.

MISCO. 2021. Promoting Improved Social Dialogue in Malta: Comparative Research on Social Dialogue in Norway and Malta. Malta : Servizzi Ewropej f'Malta (SEM), 2021.

OECD (2006), 'The challenge of capacity development: Working towards good practice', OECD Journal on Development, Vol. 8, No. 3.

Pulignano, V., Ortíz Gervasi, L. & de Franceschi, F. (2016), 'Union responses to precarious workers: Italy and Spain compared'. European Journal of Industrial Relations 2016, Vol. 22(1) 39-55.

United Nations (2008), Supporting capacity development: The UNDP approach, New York.

Weber, T. and Pavlovaite, I. (2018a), EU Social Partners' project on 'The European Social Fund: Supporting Social Dialogue at National, Regional and Local Levels': Final report, Brussels.

Websites

International Labour Organisation (ILO), https://www.ilo.org

European Foundation for the Improvement of Living and Working Conditions (EUROFOUND), https://www.eurofound.europa.eu/

EU Social Dialogue Resource Centre, https://resourcecentre.etuc.org/

European Centre of Enterprises with Public Participation and of Enterprises of General Interest (CEEP), https://www.europeansources.info/record/european-centre-of-enterprises-with-public-participation-and-enterprises-of-general-interest/

European Association of Craft, Small and Medium-size Enterprises (UEAPME), https://www.smeunited.eu/

European Trade Union Confederation (ETUC), https://www.etuc.org/en

Business Europe, https://www.businesseurope.eu/

Directorate-General for Employment, Social Affairs and Inclusion, https://ec.europa.eu/social/home.jsp

Organisation for Economic Co-operation and Development (OECD), https://www.oecd.org/

European Public Service Union (EPSU), https://www.epsu.org/

7 APPENDIX – Survey

MCESD Enhancing Female Participation in Social Dialogue & Technical Capacity of Social Partners

7.1 Demographic Data

Question	Answer
Gender	Male
	Female
	Prefer not to answer
Age	18-34
	35-54
	55-64
	65+
I am a…	MCESD Council
	Civil Society Committee
	EESC
	Government Member
	Gozo Regional Committee
I represent…	Employees

	Employers / Businesses
	Government
	Professions or specific sectors
	Segments of society
	Unions
	Other
Position / Title	
Highest level of education	Secondary
	Post-secondary
	Technical or Occupational Certificates
	Bachelor's Degree
	Master's Degree
	Doctorate
	Professional Qualifications
Area of Study	Arts
	Business Administration
	Business and Economics
	Education
	Engineering
	Finance
	Information Technology
	Languages
	Law
	Medicine
	Political Science
	Public Administration
	Sciences (other)
	Other

7.2 Research Questions – General

Question	Answer
I am involved in social dialogue…	Directly Indirectly Not at all
My participation in social dialogue came about because… (select all that apply)	I volunteered I was nominated I was randomly selected Because of my position Because of my expertise in the field I represent Because of my involvement in various organisations and committees and/or exposure in various countries Because of my contacts Because of skills which are relevant to social dialogue (e.g. negotiation, communication, coordination, etc) Because of my qualifications Because it was my turn Other (please specify)
I have been involved in social dialogue for…	Less than 1 year 1 to 3 years 3 to 8 years More than 8 years
During meetings, I am expected to… (select all that apply)	Present information to participants for discussion

	Provide critical feedback in relation to the topics being discussed (e.g. during a consultation process)
	Report back to my organisation about the discussions held
	Offer a personal and professional opinion in relation to the topics being discussed
	Other (please specify)
The most important issues on my agenda are currently the following (select all that apply)	General Employment conditions, the workforce and labour legislation
	Female participation
	Pensions
	Impact of COVID
	Foreign Policy
	Environmental Issues
	Social Issues
	Funding and financial considerations
	Technology and digitisation
	Legislation
	Work-Life Balance
	Other (please specify)
The structure and processes employed in the context of social dialogue are effective	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
The committee(s) / workgroup(s) which I form a part of have expectations of my role which are aligned to my own	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)

ADVISORY
MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT
EU funds | 2014
for Malta | 2020

I have the required resources and tools in order to contribute effectively (personnel, time, budget, skills, etc).	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
The member selection process is fair and effective.	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
I feel that when a discussion takes place, there is a balance of opinions coming from people of different **backgrounds and expertise.**	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
I feel that when a discussion takes place, there is a balance of opinions coming from people of different **levels** within the organisation's hierarchy.	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)

7.3 Research Questions – Technical Capacity

Question	Answer
It would be required / necessary to strengthen the skills of social partners' representatives / personnel in the following areas of expertise:	
Industrial relations and negotiations	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Policy making and advocacy	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Research methods and analysis	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Marketing, PR, communication and new service development	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Training opportunities / modules are not available	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)

7.4 Capacity Building In Social Dialogue

Please, tick only one box along the scale from 1 to 5 (Strongly agree to strongly disagree)

Question	Answer
I feel that the following factors may be inhibiting effective capacity building in social dialogue:	
Weakness of the social partners	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Fragmentation of social actors	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Limited or declining tripartite social dialogue	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Lack of sectoral collective bargaining	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Lack of collective bargaining coverage	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Limited social partners' autonomy	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Low social partners' representativeness	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Lack of trust between social partners	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Representation gaps due to labour market changes, new / atypical forms of work	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)

Limited capacity / lack of mandate to negotiate on and influence government policies and legislation	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Contribution made by social dialogue to economic and social development is not sufficiently recognised	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Lack of resources (HR / financial) represent an issue affecting our activities	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Lack of investment in internal systems has an impact on the effectiveness of our activities and actions	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Support provided by MCSED is too limited	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)
Low salary levels are an issue	Scale from 1 to 5 (Strongly Agree to Strongly Disagree)

8 APPENDIX – Interview Questions

	PARTICIPANT 1	PARTICIPANT 2	PARTICIPANT 3
Name			
Organisation			
Role			
Date of Interview			

1. Please provide some background on the history of your involvement in social dialogue.
    a. How did you become a member?
    b. When?
    c. What is your role?
    d. What are you expected to contribute as a member?

2. What is the process of selecting members?
    a. Do you think it is fair?

3. How are committee meetings conducted?
    a. Do all members actively participate?
    b. Are all members given the same importance and opportunities?

4. What tools/resources do you need for enhanced social dialogue participation?
    a. What challenges do you face?

5. Do you feel that you possess the necessary competencies to participate in social dialogue?
    a. In your opinion – what are the necessary competencies?
    b. What training do you feel will address such gaps?

6. Please define, describe what are social partners' expectations and roles.

7. Any other additional comment or recommendations in general?

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

9 APPENDIX – Survey Results

9.1 Demographic Profile of Respondents
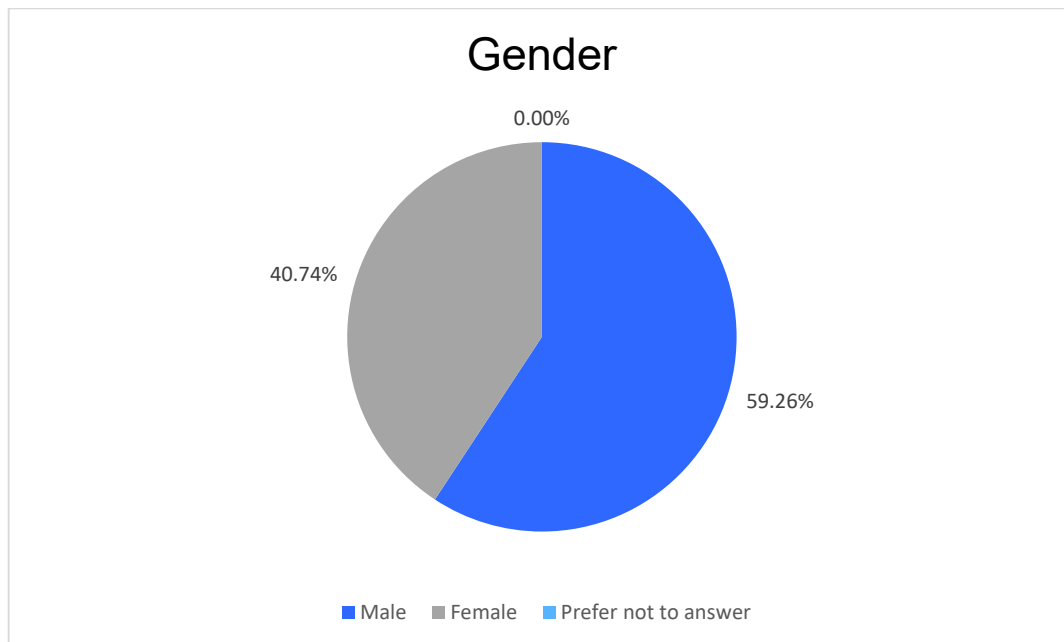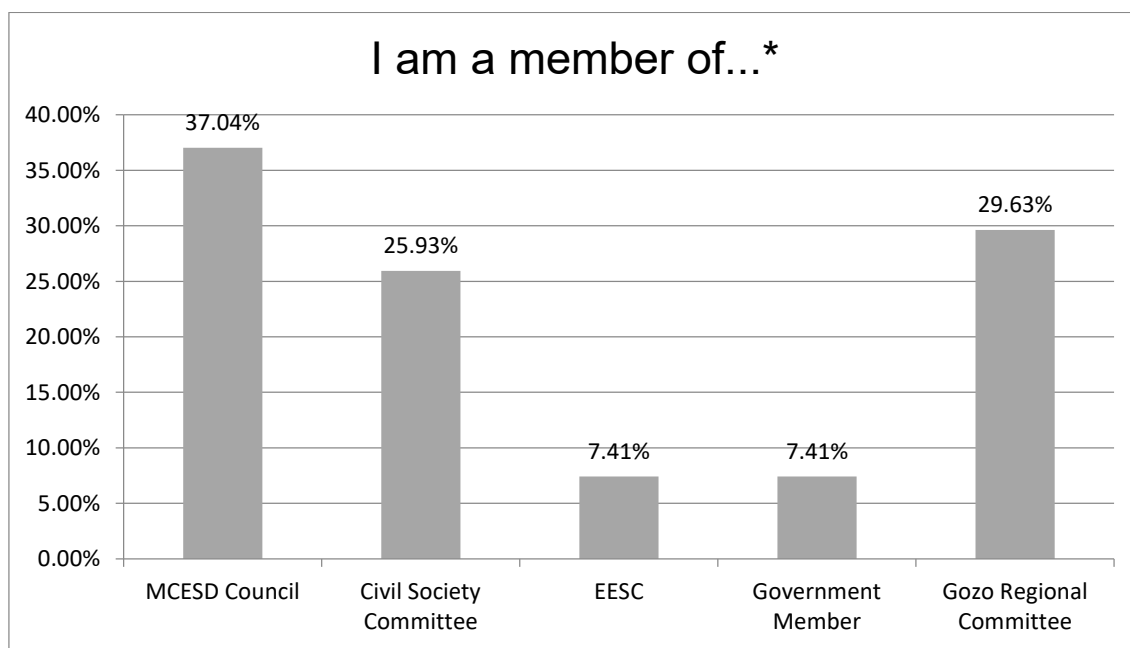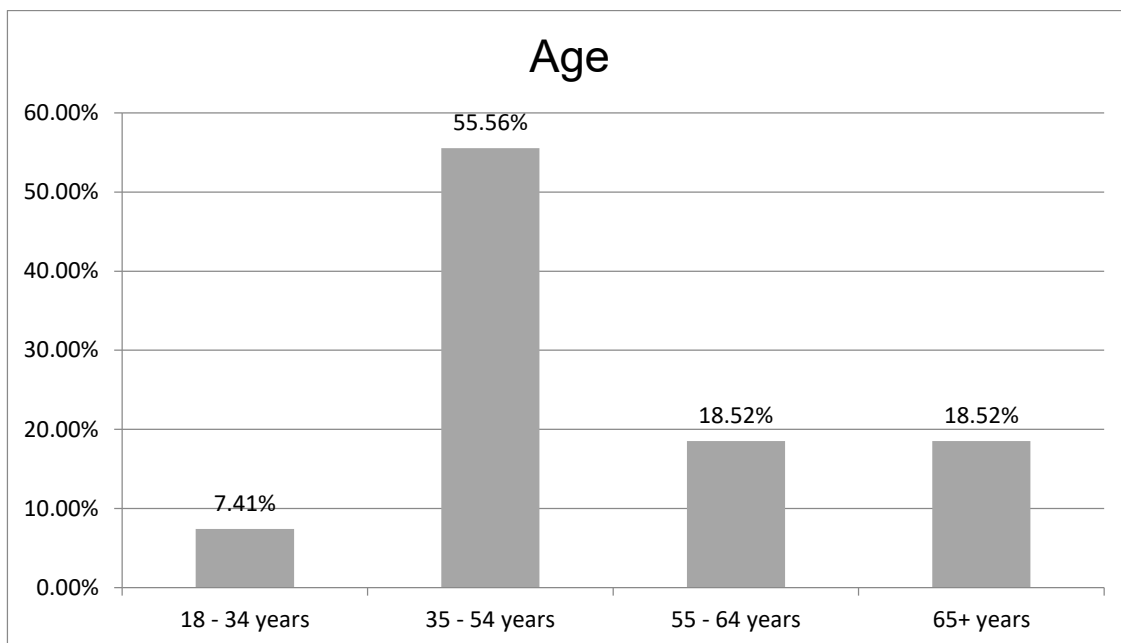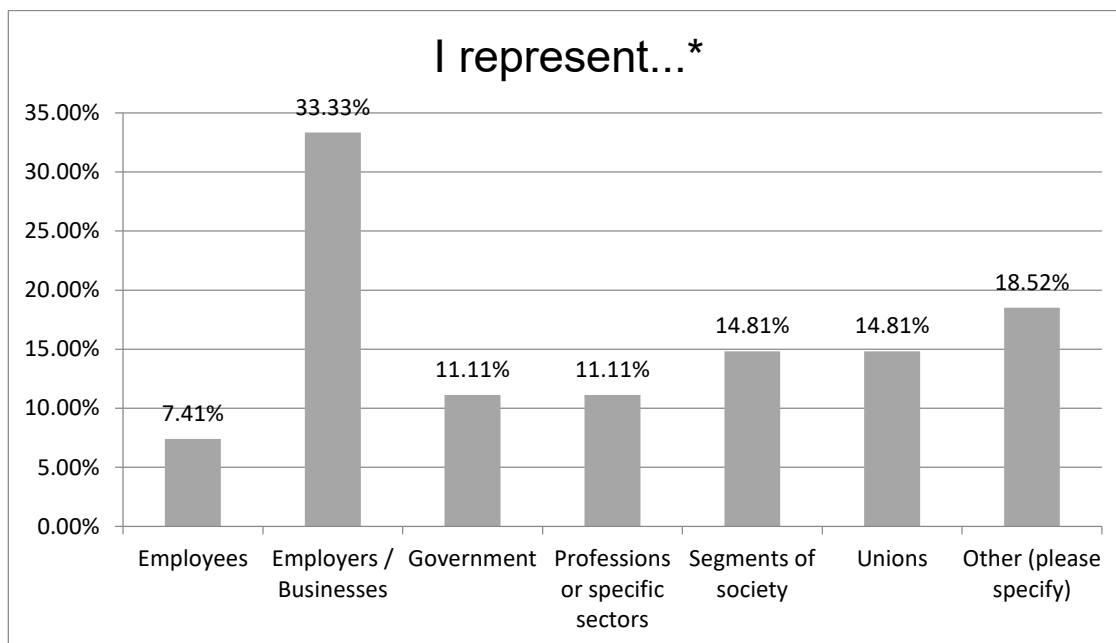
Gender

- Male
- Female
- Prefer not to answer

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

Age

Age chart showing: 18 - 34 years 7.41%, 35 - 54 years 55.56%, 55 - 64 years 18.52%, 65+ years 18.52%

I am a member of...*

I am a member of chart showing: MCESD Council 37.04%, Civil Society Committee 25.93%, EESC 7.41%, Government Member 7.41%, Gozo Regional Committee 29.63%

*Multiple replies to this question were possible.

I represent...*

Category	Percentage
Employees	7.41%
Employers / Businesses	33.33%
Government	11.11%
Professions or specific sectors	11.11%
Segments of society	14.81%
Unions	14.81%
Other (please specify)	18.52%

*Multiple replies to this question were possible.

'Other' included: Disability Sector, Voluntary Organizations, NGOs, Local and Regional Councils, Students

Position: wide range, including chairmen, presidents, CEOs, management and other members.

Highest level of education

Level	Percentage
Professional Qualifications	11.11%
Doctorate	3.70%
Master's Degree	37.04%
Bachelor's Degree	25.93%
Technical or Occupational Certificates	3.70%
Post-secondary	14.81%
Secondary	3.70%

Area of study

Area	Percentage
Other (please specify)	10.71%
Sciences (other)	3.57%
Public Administration	3.57%
Social & Political Sciences	17.86%
Medicine	0.00%
Law	0.00%
Languages	7.14%
Information Technology	0.00%
Finance	3.57%
Engineering	0.00%
Education	3.57%
Business and Economics	25.00%
Business Administration	25.00%
Arts	0.00%

Others included: Environmental studies and aviation.

9.2 Appointment to Social Dialogue Forums

My participation in social dialogue came about because...*

Category	Percentage
I volunteered	15.38%
I was nominated	61.54%
I was randomly selected	0.00%
Because of my position	50.00%
Because of my expertise in the field I represent	19.23%
Because of my involvement in various organisations and committees/workgroups and/or exposure in various countries	34.62%
Because of my contacts	3.85%
Because of my skills which are relevant to social dialogue (e.g. negotiation, communication, coordination, etc)	26.92%
Because of my qualifications	7.69%
Because it was my turn	0.00%
Other (please specify)	11.54%

Multiple replies to this question were possible.

I am involved in social dialogue...
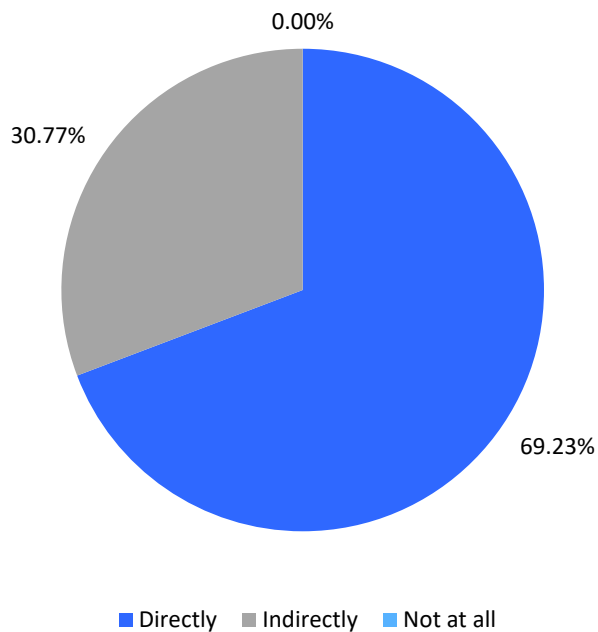
0.00%

30.77%

69.23%

- Directly
- Indirectly
- Not at all

I have been involved in social dialogue for...

0.00%

23.08%

42.31%

34.62%

- Less than 1 year
- 1 to 3 years
- 3 to 8 years
- More than 8 years

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

During meetings, I am expected to…*
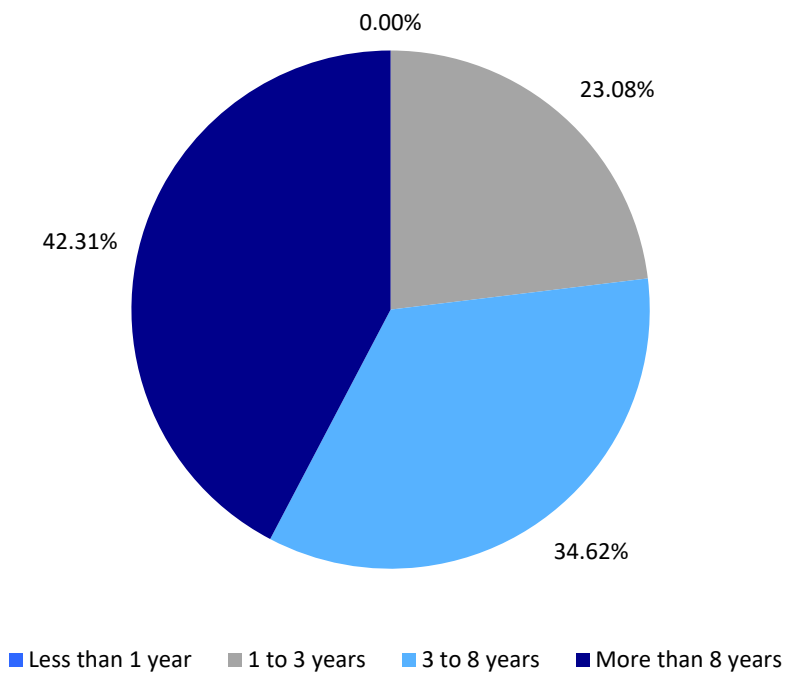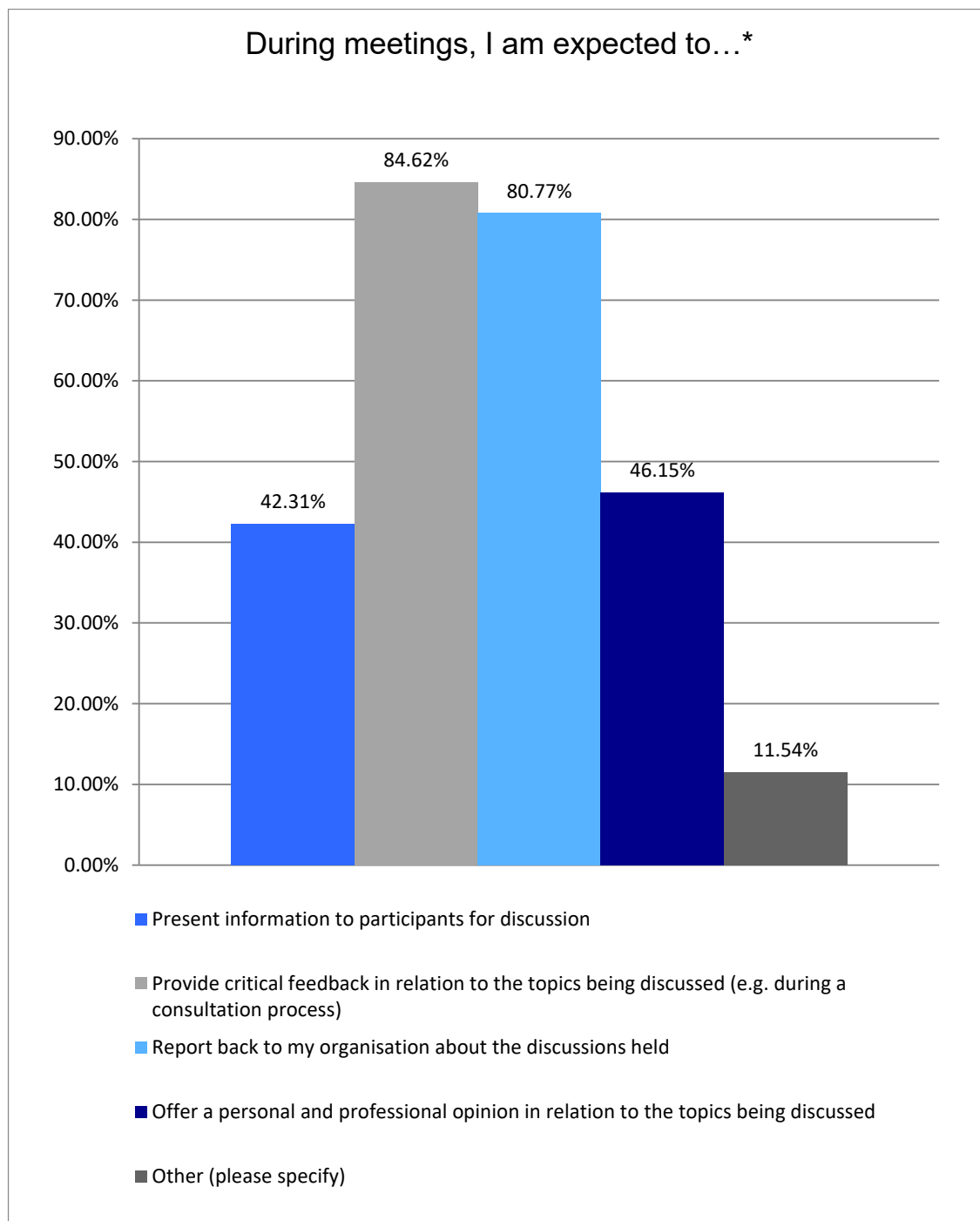
Multiple replies to this question were possible.

'Other' replies were by those who did not directly participate in meetings and the questions were therefore not applicable.

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

The most important issues on my agenda currently relate to the following*

Bar chart values:
- General Employment conditions, the workforce and labour legislation: 50%
- Female participation: 42%
- Pensions: 35%
- Impact of COVID-19: 62%
- Foreign Policy: 8%
- Environmental Issues: 65%
- Social Issues: 42%
- Funding and financial considerations: 31%
- Technology and digitisation: 42%
- Legislation: 23%
- Work-Life Balance: 42%
- Other (please specify): 27%

Legend:
- General Employment conditions, the workforce and labour legislation
- Female participation
- Pensions
- Impact of COVID-19
- Foreign Policy
- Environmental Issues
- Social Issues
- Funding and financial considerations
- Technology and digitisation
- Legislation
- Work-Life Balance
- Other (please specify)

Multiple replies to this question were possible.

'Other' included: Disability, Tourism, Cultural Heritage, Good Governance and Operational Costs and issues in business.

9.3 Participation and Involvement in Social Dialogue

Kindly indicate the degree to which you agree with the following

	The structure and processes employed in the context of social dialogue are effective	The committee(s)/workgroup(s) which I form a part of have expectations of my role which are aligned to my own	I have the required resources and tools in order to contribute effectively (personnel, time, budget, skills, etc)
Strongly Agree	8.00%	24.00%	4.00%
Agree	44.00%	60.00%	36.00%
Neutral	28.00%	8.00%	36.00%
Disagree	16.00%	4.00%	20.00%
Strongly Disagree	4.00%	4.00%	4.00%

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

9.4 Representation in Social Dialogue

Kindly indicate the degree to which you agree with the following statements

	The member selection process is fair and effective	I feel that when a discussion takes place, there is a balance of opinions coming from people of different backgrounds and expertise	I feel that when a discussion takes place, there is a balance of opinions coming from people of different levels within the organisation's hierarchy
■ Strongly Agree	20.00%	16.00%	12.00%
■ Agree	56.00%	68.00%	60.00%
■ Neutral	20.00%	12.00%	20.00%
■ Disagree	4.00%	4.00%	8.00%
■ Strongly Disagree	0.00%	0.00%	0.00%

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

9.5 Technical Capacity Needs and Issues

It would be required / necessary to strengthen the skills of social partners' representatives / personnel in the following areas of expertise:

	Industrial relations and negotiations	Policy making and advocacy	Research methods and analysis	Marketing, PR, communication and new service development
Strongly Agree	8.00%	28.00%	36.00%	20.00%
Agree	44.00%	60.00%	48.00%	60.00%
Neutral	28.00%	12.00%	16.00%	12.00%
Disagree	20.00%	0.00%	0.00%	8.00%
Strongly Disagree	0.00%	0.00%	0.00%	0.00%

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

Training opportunities / modules are not available
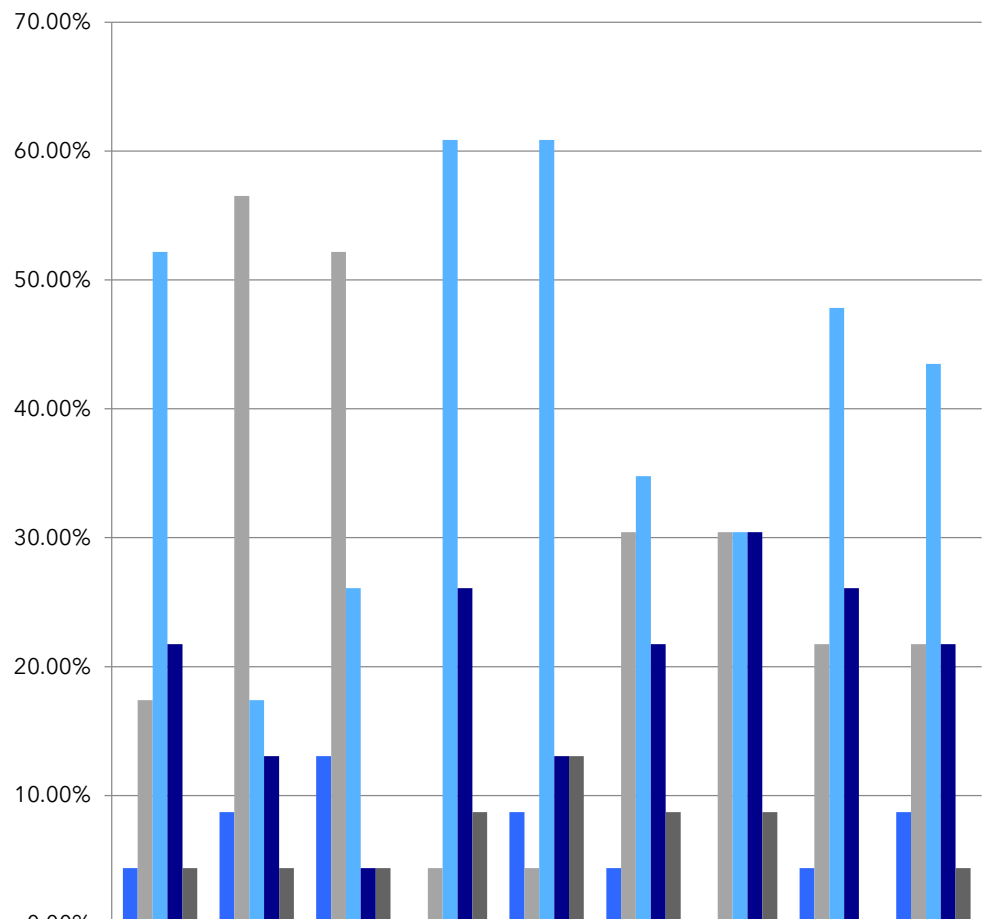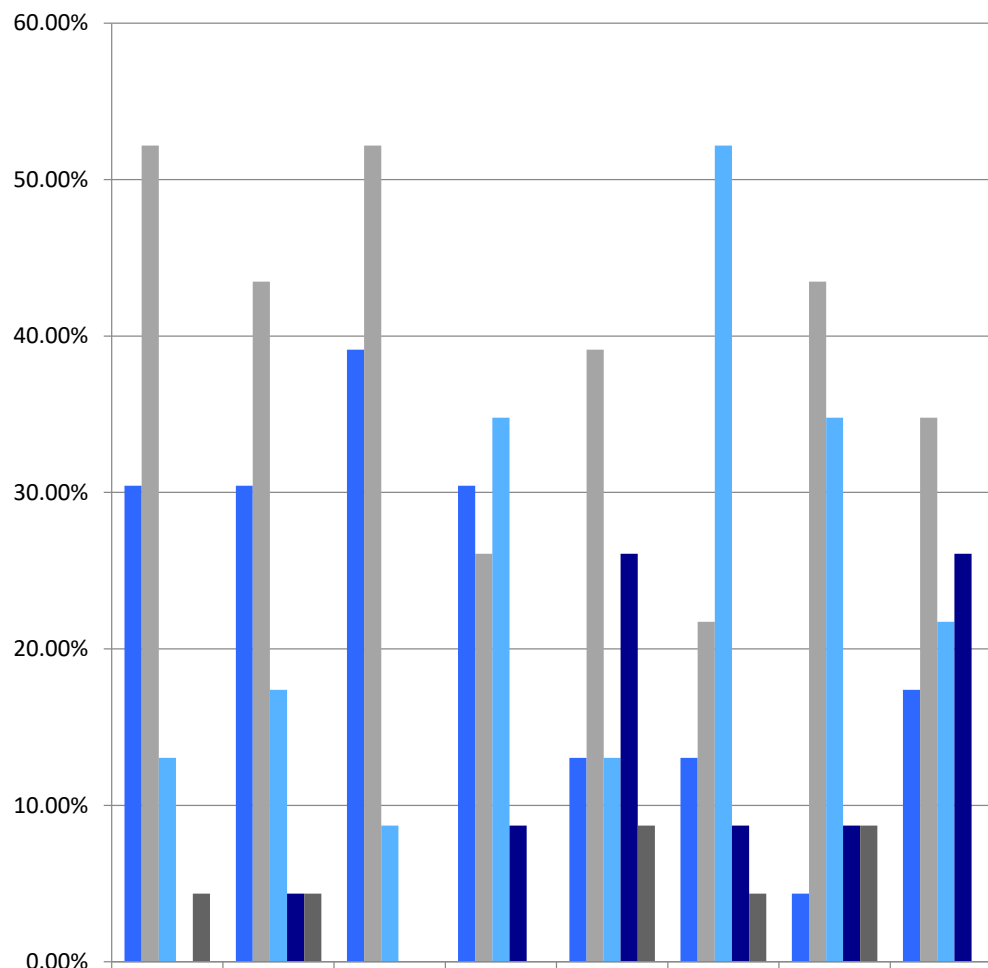
I feel that the following factors may be inhibiting effective capacity building in social dialogue:

	Weakness of the social partners	Fragmentation of social actors	Limited or declining tripartite social dialogue	Lack of sectoral collective bargaining	Lack of collective bargaining coverage	Limited social partners' autonomy	Low social partners' representativeness	Lack of trust between social partners	Representation gaps due to labour market changes, new / atypical forms of work
Strongly Agree	4.35%	8.70%	13.04%	0.00%	8.70%	4.35%	0.00%	4.35%	8.70%
Agree	17.39%	56.52%	52.17%	4.35%	4.35%	30.43%	30.43%	21.74%	21.74%
Neutral	52.17%	17.39%	26.09%	60.87%	60.87%	34.78%	30.43%	47.83%	43.48%
Disagree	21.74%	13.04%	4.35%	26.09%	13.04%	21.74%	30.43%	26.09%	21.74%
Strongly Disagree	4.35%	4.35%	4.35%	8.70%	13.04%	8.70%	8.70%	0.00%	4.35%

ADVISORY

MCESD
MALTA COUNCIL FOR
ECONOMIC & SOCIAL DEVELOPMENT

EU funds | 2014
for Malta | 2020

I feel that the following factors may be inhibiting effective capacity building in social dialogue:

	Limited capacity / lack of mandate to negotiate on and influence government policies and legislation	Contribution made by social dialogue to economic and social development is not sufficiently recognised	Lack of resources (HR / funds) represent an issue affecting our activities	Lack of investment in internal systems has an impact on the effectiveness of our activities and actions	Lack of support from MCSED	Salary expectations	Lack of definition of expectations / roles of social partners	Unavailability of training modules/trainers
Strongly Agree	30.43%	30.43%	39.13%	30.43%	13.04%	13.04%	4.35%	17.39%
Agree	52.17%	43.48%	52.17%	26.09%	39.13%	21.74%	43.48%	34.78%
Neutral	13.04%	17.39%	8.70%	34.78%	13.04%	52.17%	34.78%	21.74%
Disagree	0.00%	4.35%	0.00%	8.70%	26.09%	8.70%	8.70%	26.09%
Strongly Disagree	4.35%	4.35%	0.00%	0.00%	8.70%	4.35%	8.70%	0.00%

10 APPENDIX – Interviewee List

The following individuals were invited to attend an interview:

MCESD Body	Organisation	Name	Interview Ref. No.
Council	General Workers Union	Josef Bugeja	1
	UHM Voice of the Workers	Mario Sacco	2
	Malta Employers Association	Sharon Farrugia	3
	Malta Chamber of Commerce, Enterprise and Industry	Andre Fenech	4
	Malta Hotel & Restaurants Association	Tonio Cini	5
	Malta Chamber of SMEs	Abigail Mamo	6
	Forum Unions Maltin (For.U.M)	Elaine Germani	7
Council / GRC	GRC	Joseph Borg	8
	GRC	Joe Muscat	8
Gozo Regional Committee	Gozo University Group	Estelle Scicluna	8
	Gozo NGO Association	Miriam Portelli	8
Civil Society Committee	CSC	Benjamin Rizzo	9
	Consumer Affairs	Catherine Polidano	9
	Gender Equality	Mary Gaerty	9
	Restorers and Conservers	James Licari	9
	Local Councils	Mario Fava	9

The following individuals actually participated in the interviews:

MCESD Body	Organisation	Name	Interview Ref. No.	Interview Date
Council	General Workers Union	Josef Bugeja	1	18th Jan 2022
	Malta Employers Association	Sharon Farrugia	3	18th Jan 2022
	Malta Chamber of Commerce, Enterprise Industry	Andre Fenech	4	24th Jan 2022

	Malta Chamber of SMEs	Abigail Mamo	6	8th Feb 2022
Civil Society Committee	Gender Equality	Mary Gaerty	9	19th Jan 2022
	Restorers and Conservers	James Licari	9	
	Local Councils	Mario Fava	9	

11 ANNEX – Feedback Report

SEE ATTACHED DOCUMENT

12 ANNEX - Simplified Summary

The MCESD engaged IDEA Advisory Limited to carry out research and present a report which would include recommendations on how to increase the technical capacity (that is, in depth technical knowledge and skills on relevant areas) of social partners.

The research carried out involved both the review of existing studies and first-hand feedback which was obtained from the social partners themselves.

Through the study, it was noted that technical capacity by itself cannot be as effective when applied to social dialogue than when it is accompanied by adequate management and leadership skills and attitudes (core capacities) and an enabling environment which has the required resources and systems in place. Therefore, this study sought to look at all three aspects in parallel to offer a complete analysis and make recommendations which could truly be of a positive influence.

Through the study, it was determined that the majority of participants to social dialogue hold higher education qualifications, mostly in business-related fields. Yet the same proportion have also indicated that gaps in technical capacity exist in most areas, even though there do not seem to be enough training opportunities available.

Amongst the primary reasons why the social partners believe that technical capacity building is inhibited are lack of resources (human, financial and time), limited mandates, insufficient recognition and a lack of investment to improve internal systems.

A number of recommendations were presented in the report which have been designed to improve the technical capacities of social partners on the basis of the research undertaken. These recommendations have been categorised into the three factors which make up effective technical capacity building, that is, technical capacity, core capacity and enabling environment. Amongst the recommendations were training initiatives and information sharing (technical capacity), flexible and convenient delivery of training or information sessions and sharing specialised knowledge (core capacity), making a pool of specialists available to stakeholders, social dialogue process improvements and planning provisions (enabling environment).

The intention is to provide the social partners with a complete ecosystem which encourages capacity development which would positively impact the quality of social dialogue amongst stakeholders.

13 ANNEX – Press Brief

The MCESD engaged IDEA Advisory to analyse the status of the technical capacity of social partners and make recommendations to enhance it. It was noted that technical capacity by itself cannot be as effective when applied to social dialogue than when accompanied by adequate core capacities and an enabling environment. Therefore, the study sought to look at all three aspects in parallel to offer a more comprehensive analysis and make recommendations which could indeed be of a positive influence.