

Lyudmyla Volynets

Trade Unions and Worker Representation in Ukraine

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The disintegration of socialism that occurred across Europe in the late 1980's prompted significant changes in the area of Industrial Relations. With all of the institutional changes in place, the role and functions of trade unions have been fundamentally challenged. This ongoing development of post-socialist worker representation and trade unions within new operating conditions forms the focus of this book. The book offers a process-oriented perspective of union development. The complexity of the dynamic processes of union formation is used in order to explain weak conflict-based forms of worker representation in Ukraine. A general overview of union development includes a discussion of the various currents, tensions and approaches to worker representation within reformed and independent trade unions. Using detailed examples of enterprise-based unions in Ukraine, it demonstrates the effects of the co-existence of and competition between reformed and newly emerging trade unions on the development of conflict-based worker representation in the post-socialist context.

Key words: trade unions, independent trade unions, reformed trade unions, worker representation, Industrial Relations, Ukraine

Lyudmyla Volynets had worked as the international secretary for the Confederation of Free Trade Unions of Ukraine. She later obtained her M.A. in Labour Policy and Globalisation at the Global Labour University in Kassel/ Berlin in 2006 and completed her dissertation in political science at the Freie Universität of Berlin in 2013.

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Preface

Differences can produce conflicts. The Ukrainian trade union movement has been accompanied by such conflicts; a lack of democratic practices of pluralism and inclusion has led to inter-union conflicts and rivalries. The existence of two different trade union groups in Ukraine, in Russia, Belarus, Poland, and many other former Soviet and Central and Eastern European countries is nothing new to observers of the industrial relations systems of those countries. However, regrettably, very few observers of these countries' trade unions have extensively examined the fundamental differences and conflicts between the two trade union groups. Especially within the post-Soviet context these differences have had major consequences for the progress of the democratic formation of conflict-based collective interest representation and beyond that, for the foundation of a strong democracy, economy and civil society.

Prior to beginning the research for this dissertation, I had continually encountered and experienced those differences and conflicts personally, while working as an international secretary for one of the independent trade unions of Ukraine. I also met some very active and committed trade unionists from those popularly-called "traditional" or former Soviet trade unions as well. At the same time, these union organisations developed their activity within the strict limits of the former socialist trade union movement. Essentially, many more representatives of the former socialist trade unions simply refused to have any contact with me, even for scientific purposes. Therefore, I expected to face from the outset of my research some challenges in trying to find a common union position on and approach to different topics.

My background had been that of the Ukrainian realities. But, while working on my dissertation and living in Germany, I became more and more familiar with Western European reality, and so, I gained a new perspective of the "old" things from the past. At the same time, the more I strived to clearly highlight the terms of the grave differences between those two types of trade unions, the more I realised, how different the perceptions of the same things can be, depending on the historical, cultural and political background of the reader or observer. Especially in the developed economies, no doubt existed that trade unions necessarily represent those workers' identity and interests that are opposed to those of employers and the state. So, why would we need to regard trade unions as anything other than member-driven interest organisations? Similarly, it was taken for granted that trade unions conduct collective bargaining and conclude

collective agreements, so why would one speak about “whether” they do or not and differentiate between different types of trade unions? To say that Ukrainian trade unions would first need to fight to establish those fundamentals of the union organisation, such as a trade union identity (the same could be said of employers, too) or scrutinise whether they base their agendas and activities around collective bargaining would mean to examine something that is natural, self-evident and obvious. Essentially, dissertations are not about the obvious things of life. However, the idea having to fight to establish those natural and obvious fundamentals of the worker representation was exactly key in order to understand the Ukrainian trade union movement and the conflicts, which happened during its development.

Precisely because of the lack of fundamentals of the workers’ interest representation, those currents of workers’ anger could not so easily be channelled into the direction of collective and organisational interest representation within the still undemocratic context of Ukraine. Beforehand, when these union fundamentals had to be formed, their inclusion had to be hard-won throughout inter-union rivalries and corrupt contexts. And this context is very special. Being just a one-hour flight away from the European Union with its democratic history and culture, for workers in Ukraine, to organise in order to establish workers’ unions would mean to first accept and go through persecution and harassment, fight against corrupt local and national authorities, or even overcome the tremendous legacies of the Socialist past. What did the dividing lines between the two different groups of trade unions within this ambivalent context, as the Ukrainian context undeniably is, show then?

It was important to place stronger emphasis on those rivalries and explain them with much more clarity and in much greater detail, as they reflected directions of people’s “anger” in Ukraine. This was an anger over the lack of democratic principles in society, over corrupt governments, over Soviet mentalities, over the lack of the rule of law and non-functional arbitration and last, but not least, over low wages and bad working conditions. As David Ost (2005) once so importantly observed, promoting the organisation of anger along class lines means discouraging it along other lines, and that helps promote full democratic “inclusivity”. In the example of Poland, David Ost very well shows: if workers’ anger is not organised along class lines, more and more chances exist, that this same anger will be organised along “more intractable and politically exclusionary lines and threaten to lead to illiberalism” (36). That is precisely what happened in Poland in its first postcommunist decade, “[...] when emerging class conflicts became articulated not as conflicts over interests, but as conflicts about

identity, thus promoting an illiberal political culture that has haunted the Poland's democratisation process ever since" (179). Once again, as Ost emphasised, "class cleavages are crucial for the long-term consolidation of inclusive liberal democratic politics" (185).

Similar observations could be made about Ukraine in 2015, when this book was prepared for publication. At the end of 2013, the protests in favour of the Association Agreement with the EU started in the capital of Ukraine. Compared to the earlier protests against the fraudulent Presidential elections of 2004, the protest of 2013 ended in the use of the law enforcement bodies by the Ukrainian government against the protesters and in the massacre of more than a hundred protesters, who later became to be known as the "Heavenly Hundred". All of a sudden, the world in Ukraine was turned upside down, with the consequences of this affecting all of the whole European and world communities. At the end of January 2015 the total number of deaths had already reached more than 5,000 (according to the UN and OHCHR estimates) with more than 10,000 wounded, although the real figures are considerably higher. The "Euromaidan" revolution ended with deeply entrenched lines of division within Ukraine, with people being mobilised according to ethnic identity-lines. In addition to that, the Ukrainian case shows, how those "anger lines" can be manipulated politically in a quite skilful manner, if someone from outside intends to destroy the country's territorial integrity.

It goes without saying, that any trade union activity in Ukraine centred around the development of the fundamentals of strong union representation of workers interests' came to a halt after the war started. With it, any attempts and activities to improve workers' lives through improving their job security and work standards by the way of the peaceful democratic articulation of interest conflicts came to a halt as well. Before all them could be further built, Ukrainian trade unions needed first peace in the country. Instead of mobilising the Ukrainian workers around the increase of their wages and improving working conditions, trade unions now had to get Ukrainian workers out of the war-affected parts of the country, helping them to flee and finding them jobs, in the middle of a war and other urgent union activities.

Observing the "Euromaidan" and afterwards, I was asking myself, if it would be the same, if people's anger had been continued to be organised and mobilised along class interests and economic lines and if trade unions had been free from the constraints and hindrances of inter-union competition and rivalry. Now, I am even more firmly convinced of the need to develop better understanding of and more sensitivity than ever

to the conflicts and challenges within the Ukrainian trade union movement. If Ukraine has a chance to finally establish the fundamentals of an unshakable democracy, strong economy and active civil society, then trade unions are the first ones, we have to look at, in order to allow the formation and progress of those fundamentals.

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Acronyms and Abbreviations

AAMB	Automobile and Agricultural Machine Building Union of Ukraine
AMKR	Arcelor Mittal Kryvy Rih Steel Plant
CBMI	Construction and Building Materials Industry Workers' Union of Ukraine
CCUHWU	Central Committee of the Unions of Healthcare Workers of Ukraine
CEE	Central and Eastern Europe
CEO	Chief Executive Officer
FPU	Federation of Trade Unions of Ukraine
FSU	Former Soviet Union
FTUMWU	Free Trade Union of the Medical Workers of Ukraine
ICEM	International Federation of Chemical, Energy, Mine and General Workers' Unions
ILO	International Labour Organisation
IMF	International Monetary Fund
IR	Industrial Relations
ITU	Independent Trade Union
ITUC	International Trade Union Confederation
KVPU	Confederation of Free Trade Unions of Ukraine
KZRK	Kryvorizhya Iron-Ore Combine
LAZy	L'viv Bus Plant
NPGU	Independent Trade Union of Coal Miners of Ukraine
NSMR	National Service of Mediation and Reconciliation
PMGU	Metallurgy and Mining Workers' Union of Ukraine
PRUP	Trade Union of the Workers of the Mining Industry
RUC	Reformed Union Committee
SPFU	State Property Fund of Ukraine
STK	Council of Labour Collective
TNC	Transnational Corporation
UAH	Ukrainian Hryvna (the national currency of Ukraine)
USD	United States Dollar
USSR	Union of Soviet Socialist Republics
VPONU	Free Trade Union of Education and Science Employees of Ukraine
VTsSPS	All-Union Central Council of Trade Unions

