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Social dialogue in social economy organisations:

***A study of the relationship between employers and trade unions in
the French social and medico-social sector***

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Introduction – Survey of literature

The French social and medico-social industry has experienced heavy structural changes. A new regulatory framework has been implemented in the field by public authorities through several policies, such as the 2002 law, which renovates the social and medico-social action. In 2010, HPST law (hospitals patient santé et territoires, in English, hospitals, patient, health and territories) created the ARS (agences régionales de santé). These agencies have been created to manage health policy on a regional scale.

In that context, social economy organisations¹ have to face several changes: an increase of competition with the for-profit sector companies, less funding coming from public origin and so on. This includes different financing schemes, for instance, the development of call for projects, financing by public procurement, etc. As a consequence, a new way of management has arisen, inspired by methods used in for-profit companies such as rationalization, reduction in expenditure, etc. At the same time, the number of workers is increasing and it is possible to highlight the professionalization process in social economy organisations (Hély, 2009). For instance, examining social economy enterprises in the social and medico-social sector alone, there are 750,000 workers nowadays in France. Such a process implies that social economy organisations have to endorse their role as employers and leaders of social dialogue.

The social dialogue issue is linked to the concern for job quality in social economy organisations. In that context, the studies on job quality are quite recent (for instance, McMullen, Schellenberg, 2003 or in France, Bailly, Chapelle, Prouteau, 2012; Maisonasse, Melnic, Petrella, Richez-Battesti, 2010). In this research, the analysis of human resources in social economy enterprises is increasingly seen as a major issue (Borgazia, Tortia, 2006; Hunter 2000), indeed, some studies stress the positive relationship between innovative management and job quality (Delaney, Huselid, 1996). In those studies, social dialogue as such is less documented. Nevertheless, it is one of the indicators which allow us to define job quality (for instance, we find social dialogue in the European Laeken indicators or in the international labour office indicators). In France, research about social dialogue in social economy deals with the employees' representation in the organisations at a national and regional context (Ithaque/Usgeres, 2003) but also with the representation of the employer federations (Caillaud 2012; Rivet, 2012). In this article, we will focus on the professional branch level where the collective labour agreements are negotiated. It is still the most determinant level in Europe (Jobert, 2008, p.13). Additionally, we will analyse the different social partners' positions: employer associations and trades unions (which represent employees), without forgetting public authorities' role.

Social economy tends to assert its specificity on job quality: "consideration for workers can be seen as more "natural" in social economy than in the for-profit sector" (Cides-Chorum, 2012, p.9). This can suggest that the relationships between social partners are less complicated than in other sectors. But in practice, these relationships are a current topic. We can refer to the present conflict in nursing homes (what we called EHPAD in France, établissement d'hébergement des personnes âgées dépendantes) which belong to social economy in France²

In our paper, we will try to answer the following questions:

In the context of structural changes, to what extent have relationships in the social and medico-social industry, between social economy employers and workers evolved? Do social economy organisations propose an innovative social dialogue?

¹ Mutuels and nonprofit organisations

² We refer here to residential nursing care activities for the elderly

Box 1: Methodology

The aim of this paper is to take into account all the social dialogue dimensions in our particular field: employers' representation, influence of public authorities, role of trades unions, etc. For our purpose, this investigation will be based on two tools. On the one hand, we study legal texts such as collective labour agreements, as well as "grey literature" (trades unions speeches and so on). On the other hand, we analyse interviews done with several types of actors at a national and a regional scale (Pays de La Loire) between September 2012 and March 2013 (managers of social economy organisations, some leaders of trade unions and public authorities).

This paper is proposed in a context of a thesis in economics and management. This thesis deals with job quality and management in nursing homes. As a consequence, we will illustrate our reflection with the particular study of the collective labour agreement in nursing homes.

To answer our questions, the study is conducted at three levels. The first one is the interbranch level and we tackle the problem of the employer federations in a context of a new regulatory framework. The second level is the branch level and we more particularly focus on the social and medico-social branch and the characteristics of social dialogue in social economy organisations. The third level concerns the collective labour agreement. In this respect, we analyze the conflict concerning the collective labour agreement of 1951. This will permit us to have a practical analysis of the relationships between social partners.

The study shows that social economy specificities regarding social dialogue are more an expressed intention than a reality.

1 Assuming the role of employer

The question of the employer's role in social economy raises several questions. Indeed, being an employer is not without consequences. It means becoming a "boss" with obligations towards workers and their rights. However, the idea of becoming an employer is not a perspective for social economy. The mobilisation of the actors, the volunteers, is linked to the project and the main missions of the organisation. The role of human resource manager is not in the culture.

Beyond this first statement, the employer's role permits another kind of recognition for social economy; this recognition is in relation with public authorities and the others kinds of employers. Indeed, social economy, by asserting its role of employer, puts forward its differences and this is a way to assert a particular identity, different from both the for-profit sector and the public one.

In the first part of our paper, we are firstly going to analyse, the issue of the employer's role in social economy. Then, we are going to study the organisations' difficulties in becoming representative at the interprofessional branch. To finish, we are going to conclude with the analysis of the impact of this issue on social dialogue.

1.1 The problem of the role of employer

Becoming an employer is a major issue for social economy. The quantitative evolution of jobs and the professionalization process have caused social economy to be considered as an employer, as a manager and as a leader of social dialogue. However, the studies on the subject show that it is not only difficult for the organisations to assume this new status (Injep, 2001) but also to propose an efficient social dialogue (Armand, 2009; Maisonasse, Melnic, Petrella, Richez-Battesti, 2010).

These structures have to adopt a new kind of management that includes new competences. As Christian Hoarau and Jean-Louis Laville remind us, social economy establishments have, for a long

time, rejected management standards but they appear “unbearable” and at the same time “essential” (our translation, Hoarau, Laville, 2013, p.19).

It seems that becoming a manager is not compatible with social economy principles. Nowadays, there is a tension between the initial will and the external injunctions: “there is the action and the founding utopia and between the two, there is a lack of strategy” (our translation, Briant, *in* Laville, Sainsaulieu, 1997, p.23).

As a consequence, power relations are not clear and the governance is not always efficient: “it is a sector where we have a huge governance problem. Who does what? Our employers have an associative status and theoretically, the volunteers are our employers. But who takes the decision? The president? The director? »³.

In that context, the analysis of the gap between wishes and practices in a context of a new regulatory framework, is interesting for understanding social economy positioning.

1.2 Difficulties in becoming an employer associations representative at an interprofessional level

The employer associations in social economy have been developed around federations at the interprofessional level. The aim is to assert its identity in relation to the for-profit sector. Three organisations have been created covering the different fields of activity: the USGERES which is the main group and the most visible; the UNIFED which concerns the social, medico-social and health sectors; and the GEMA (mutual insurance groups). At that interprofessional level, the for-profit sector is represented in France by the MEDEF (the most important), but also by the CGPME for small and medium-size companies and the UPA for the artisanal sector.

The social economy organisations do not want to be represented by other employer federations of the for-profit sector. They don't feel represented by them: “We maintain that there is an alternative to the employer associations rather positioned to the right and rather in a systematic opposition with trades unions. We wanted to carry out the spirit of that kind of employment”⁴, « with the MEDEF, we have different structural values »⁵.

Rivalries exist and employer federations of social economy are not for the moment considered as representative. As a consequence, they are not present in the collective negotiations such as the national interprofessional agreement of 11 January, 2008 on the modernization of the labour market, even if the decisions which are taken have been applied to everybody. Social economy is not represented decisional groups and public consultative groups (regional Economic and Social Councils, etc.)

Three kinds of actions have been taken by the employer federations to overcome this lack of representation (Caillaud, 2012, p.50). First of all, in September 2006, a “negotiation action” permitted the signature of a national framework agreement on vocational training in social economy by the GEMA, the UNIFED, the USGERES on one side and the CFDT, the CFTC, the CGT on the other side. This was followed in 2010 by the signature of the national framework agreement on psychosocial risk prevention. Then, an “electoral action” was conducted on a national scale with the creation of a specific list at the labour court elections in 2002. Under the label of “the association of social economy employers” (AEES in French), they received 11% of the votes. In 2008, the AEES received 19% of the votes and it became the second largest employer' organisation in France. In order to have an official recognition by the French administration, they petitioned July 2009 to have “recognition of representativeness” by the labour minister. The ministry did not answer and as a consequence, the USGERES launched a legal action in February 2010 to the “state council”.

There has been a positive evolution for social economy organisations; indeed, the USGERES participated at the “major social conference” for the first time in July 2012.

³ CFDT, Paris, October 2012

⁴ USGERES, Nantes, September 2012

⁵ UNIFED, Nantes, January 2013

1.3 Consequences of the lack of representation on social dialogue

The question of the representation is important for employer federations. The last national convention of the USGERES in October 2012 dealt with “the role of the employers”. This issue has had important effects on social dialogue. Indeed, as Nicole Maggi-Germain explains, being representative has two main objectives, “to sign” and “to sit”. Nevertheless, it is important to underline the most important function: recognition: “given by a third authority, representativeness is a form of recognition and legitimisation” (Maggi-Germain, 2012, p.43). It permits the assertion of the social economy as a sector independent from the for-profit one. As a consequence, the MEDEF is opposed to that emancipation as it fears losing the monopoly of representation: “the most important difficulties on the interprofessional level are in the absolute refusal by the MEDEF to recognize the social economy employers” (Abhervé, 2011). For the for-profit sector, social economy has no legitimacy because it is financed by public authorities⁶.

Relationships between the employer federations and trade unions are muddled. Indeed, in some national negotiations (like the interprofessional agreement of 11 January 2008 for instance), it is possible to find the workers’ representatives but not the employers’ ones. Social economy faces difficulties in having an operational interprofessional federation: “We are far from being recognized. There are a lot of situations where we are not at the table. We do not have money. Unions have royalties which depend on their representation level”⁷. In this situation, the position of trade unions is ambiguous. On the one hand, it is possible to notice some progress in the recognition of the social economy specificity: creation of specific working groups in the CGT and FO has organized some meetings concerning social economy. On the other hand, organisations face difficulties being visible to the major unions. For instance, those organisations do not have any statistical data on social economy (Rivet, 2012, p.83).

Social economy employers have difficulties endorsing their role of employers, their role as social dialogue leaders. Their relationships with employee’s representatives are complicated. The situation is explained well by a member of the USGERES: « There is a suspicion on the part of trade unions; sometimes we have the impression that they are more suspicious towards us. With the other employer associations, the fight is more direct. With us it is more complicated. We are together in demonstrations; in a lot of places, we are on the same side”⁸

We have seen that social economy has specific challenges concerning social dialogue and employers’ representation. It leads us to question concerning the existence of a difference in the relation between employers and employees in for-profit organisations and social economy. We are now going to analyse the case of the social and medico-social sector where structural changes are important. Those changes have deeply modified social dialogue and call into question the position of social economy employers.

2 Characteristics of social dialogue in the social and medico-social sector in social economy

In this second part, we are firstly going to see that in the social and medico-social sector, there was a desire in social economy from 1992 onwards to create its own professional branch. The objective is to be distinguished from the for-profit sector. Secondly, we are going to study another particularity of the field: the importance of public authorities in the collective negotiations. To finish, we are going to show that despite the original desire for differentiation, the branch is confronted by practical realities that call into question the particularity of social economy.

⁶ UNIFED, Nantes, November 2012

⁷ USGERES, Nantes, September 2012

⁸ USGERES, Nantes, September 2012

2.1 The creation of a specific branch of social economy as a border with the for-profit sector

In the social and medico-social sector, we can distinguish two branches: one for home help services and another one which concerns all the social economy enterprises in the social, medico-social and health sectors. We will focus on the second one.

It was created after the five-year law of 20 December, 1992 which amended vocational training. This law gives social partners the management of the OPCA (accredited collecting fund for training). As a consequence, a branch was built from its OPCA, called UNIFAF. In 1993, the joint committee of labour and vocational training (CPNE-FP) was created. We had to wait 1995 for the creation of the branch joint committee. On the employers' side, it is the UNIFED, which is the only one organisation; on the employees' side, we find all the traditional French confederations of trade unions (CFDT, CFE/CGC, CFTC, CGT, and CGT-FO). Finally in 2005, the branch had set up an observatory on jobs and qualifications. The last job survey realized by the observatory in 2012 put forward the importance of the social economy sector. Indeed, the branch is one of the most important with 700, 720 jobs (589, 900 full time equivalents).⁹

This specific branch of social economy is based on the federation of employer associations, the UNIFED. It is very diverse and concerns 5 employer associations: the FEHAP; the FNCLCC; the FEGAPEI; the SYNEAS and the French Red Cross. Like the interprofessional federation, the set up of a distinguished branch of social economy can be interpreted as a desire for having a different social dialogue. Indeed, the building of an activity branch is related to objective considerations but also to subjective ones (Poisson, 2009). In the social and medico-social sector, the choice of a specific branch for social economy organisations is relevant. The part of for-profit is increasing and "in asserting their identity, the employers' of the branch want to underline their differences with the for-profit employers who are nowadays taken charge of a significant part of the activities" (our translation, Maggi-Germain, 2012, p.35). The differentiation is complete because on the other side of social dialogue, trades unions have made differences between the different legal statuses of companies: public, social economy and for-profit organisations. This is the case for the CGT and the CFDT for instance.

2.2 The important role of public authorities in collective agreements

In France, one of the characteristics of social dialogue is the major role of public authorities as a "third-player". In social economy and in the social and medico-social area, it is especially important. Indeed, social economy organisations are financed by public funds. The state has established a mechanism to control expenditures. It means that before the entry into force of the collective agreements, there is a procedure of "accreditation" (article L. 314-6 of the social work and family code). This accreditation is given by the minister of social welfare and family. It concerns collective labour agreements, company-level agreements and pension arrangements as well as unilateral commitments and practices. The aim is to control: "the budgetary impact of employee benefits" (Uniopss, 2012, p.2). Originally, this mechanism which was created by the law of 30 June 1975, illustrated the choice of social economy to assert its identity different from the public sector « the context was also that of the recognition of a social and medico-social sector different from the hospital field" (Uniopss, 2012, p.2).

The « accreditation » has two functions for social partners. First, it permits them to assert the force and the neutrality of the agreement. Then, « those agreements are imposed to the competent authorities on pricing" (Article L.214-6 of the social work and family code). Once the agreement is signed, the financial organisms must finance the expenditures evaluation. It is called in French: "mécanisme d'opposabilité budgétaire". As a consequence, the financing of wages is guaranteed.

This process of accreditation is less frequently used now in favour of the common law. This can be explained by the fact that accreditation is now not valid for healthcare institutions, since the social security financing act of 2009. More than that, residential nursing care activities for the elderly who have concluded a tripartite agreement (with the ARS or the department) or a CPOM (contrat pluriannuel d'objectifs et de moyens in French, pluriannual contracts of objectives and means) do not

⁹ UNIFAF website :

http://www.unifaf.fr/attached_file/componentId/kmelia24/attachmentId/33363/lang/fr/name/rapport%20national%20int%C3%A9gral.pdf

apply the mechanism. Despite those evolutions, the accreditation still exists. There is a kind of fear for the future of public funding: “the use of common law marks also the loss of the financing guarantee of salaries” (Bonin, 2011). Public authorities are still, indeed, an important stakeholder in negotiations, especially since the 2002 law and the « limitation of payrolls ». A new regulatory framework has been implemented where budgetary management is important.

2.3 In practice, a branch which has no precise outlines

As we have seen before, the creation of the branch is based on the employer federations UNIFED and the OPCA. The five employer organisations members of that federation are really different. They do not have the same issues and the same resources. The UNIFED has had difficulties creating a common purpose and the resources are limited: this is an “army without soldiers”¹⁰. As a consequence, social dialogue has difficulties being operational because all the branch negotiations need the coordination of all the organisations: “the branch was created around the OPCA; it is the tool which has created the branch. This is not the will to be grouped; as a consequence, it is complicated for the negotiation. The branch does not live”.¹¹

At the interprofessional level, the UNIFED has encountered problems finding its place next to the USGERES. On paper, the two federations are complementary because they concern different areas of activity. But in reality there are tensions. For instance, the UNIFED did not sign the national framework agreement on psychosocial risk prevention in 2010. The issues are important and some people want the merger of the two organisations: “we did almost everything with the UNIFED. In my opinion, there should not be two organisations but just one. [...] We already have a lot of difficulties. There is no reason for having both the UNIFED and the USGERES ». ¹²

The position of the UNIFED is ambiguous. At the interprofessional level, there is the conflict between federations; at the branch level, the trade unions cannot speak with a common voice. As a consequence, the UNIFED is not visible: “people tell us, “You are not known UNIFED””¹³

Beyond those practical difficulties, the social dialogue issue in the social and medico-social field refers to an arbitration that organisations have to make between their “economical utility” (managing the budget) and their “social utility” (more “social” human resources policy for instance). In that context, the creation of the branch has permitted the establishment of a differentiation between the for-profit and nonprofit sectors. Nevertheless, in practice, numerous conflicts underline the difficult position of social economy.

3 The conflict caused by the collective labour agreement of 1951: employment relationships as in the other sectors?

In that final part, we analyse an example of social dialogue practice: the study of the conflict of the collective labour agreement of 1951. The interest of this study is to show the difficulties of social economy organisations in having an operational social dialogue. This has consequences on workers and on the sector more generally. These practical limits make us question the impact of the new regulatory framework on employers’ behaviour and their flexibility to act.

3.1 Chronology of the conflict and main actors

In nursing homes for elderly people, social economy organisations apply what we call the collective labour agreement of 1951 (in French, la convention collective des établissements privés d’hospitalisation, de soins, de cure et de garde à but non lucratif du 31 octobre 1951). This agreement has an important characteristic: it concerns not only the social and medico-social sector but also the health one. The majority of the establishments are nursing homes. These organisations are

¹⁰ UNIFED, Nantes, November 2012

¹¹ CFDT, Paris, October 2012

¹² USGERES, Nantes, September 2012

¹³ UNIFED, Nantes, November 2012

interesting for us because we can find nursing homes which can be either public organisations, for-profit or nonprofit ones. The employer organisation is named the FEHAP. It was created in 1936 and includes 3 700 organisations. On the employee's side, the signatories of the labour agreement are the five French confederations of trade unions: CGT, CFTC, FO, CGC, and CFDT.

From 2009, the issue has been raised to change the collective labour agreement. The FEHAP decided to revise the agreement and three years of negotiations followed. The conflicts between employers and workers were based on worker rights and 15 points have been revised. Three elements are at the core of the negotiations: public holidays, calculation of work overtime (during the night or the week end) and lastly the level of long-service bonus.

Box 2 : Chronology of the conflict of the collective labour agreement of 1951

- **October 2009** : the FEHAP decides to revise the collective labour agreement of 1951
- **1st September 2011**: the FEHAP annuls a part of the collective labour agreement: negotiations start and an agreement has to be found before the 1st December 2012.
- **28 August 2012**: last meeting of the joint committee. The FEHAP proposes an agreement that all trade unions refuse to sign.
- **4 September 2012**: Creation of an employer's recommendation which involves the end of negotiations. The FEHAP requests the accreditation before the 1st of December. The risk is returning to the common labour law
- **15 October 2012** : important demonstrations of workers organised by trade unions
- **23 October 2012**: Marisol Touraine (Minister of social affairs and health) refuses the accreditation of the employer recommendation and sets up a joint committee with the presence of a member of the ministry which chairs the meeting.
- **24 October 2012** : First mixed joint committee with a member of the ministry
- **12 November 2012**: The FEHAP proposes an amendment, the 2012-04 amendment. The CFDT and the CFE-CGC sign in order to continue the social dialogue and to avoid the application of the common labour law. The CFTC, FO and CGT do not sign. The agreement is not signed by the majority and as a consequence, it is cancelled.
- **1st December 2012**: end of the survival period. The FEHAP wants the application of the employers' recommendation by a unilateral decision. It needs the ministers' accreditation.
- **4 January 2013**: The minister gives the accreditation. New negotiations are launched by the FEHAP.
- **18 January 2013** : The mixed joint committee has to discuss a new agreement in order to establish a new conventional basis
 - La CFTC, la CGT et FO refuse to participate
 - La CFDT et la CFE-CGC agree to participate

3.2 « Social dialogue breakdown»: what is the reaction of the social economy employers?

The negotiations concerning the collective labour agreement of 1951 illustrate that social dialogue and social partners' relationships can be complicated in social economy. The consequence of this is the withdrawal of the conventional bases which concerned more than 200, 000 workers. Nowadays, only a small part of the collective labour agreement of 1951 and the employer recommendation has been applied. As a member of the CFDT tells us: "the decision is unilateral, it is not a collective agreement anymore. We need to create a new collective basis"¹⁴. The situation for the employees is really diverse. Each organisation has to make its own choices. First of all, there is a difference in treatment between the structures which join the FEHAP and the organisations which have decided to be independent. In fact, it is important to remember that the collective labour agreement of 1951 is not under an "extensional regime". This means that the establishments of the field are not obligated to apply the agreement. It is an obligation only for the members of the employer organisation, the FEHAP in this case. The organisations which are not members can decide to apply a part of the convention and most of the time they use the pay structures. Nowadays, with the withdrawal of the collective

¹⁴ CFDT, Paris, October, 2012

labour agreement, they choose to apply either the small part of the agreement which still exists or the employer recommendation. In the structures which are members of the FEHAP, the workers are under two schemes: the employees who have been hired before 1st September 2011 who can keep their individual advantage and the workers who have been hired after this date who are under the common labour law or the employer amendment.

Collective negotiations are now limited to company agreements. The situation in the social economy organisations is not stable and it is interesting to analyse the different positions of the managers. Indeed, each structure has made different choices. First of all, it is important to underline the fact that the situation is confusing for everybody: “we are uncertain about what are we doing?”¹⁵. FEHAP members are waiting in an uncomfortable situation. The difficulty is to adapt the organization to all these changes¹⁶. In this situation we can observe different kinds of behaviours. First, there is a sort of fatalism: “we do not have the choice because we are in the red”¹⁷. Then some organisations prefer to not be concerned by the situation: “we are not FEHAP members; but we use the collective labour agreement”¹⁸. To finish, a part of the managers want to fight against the employer recommendation: “we have to establish a strategy to increase wages beyond the collective labour agreement”¹⁹.

In fact, there is a debate in the social economy between the different managers. Some actors are against the FEHAP recommendation and propose the increase of wages to attract new employees: “There is a dramatic risk, in 2016, of generating our shortage of workers. Why? Because, in our establishments, we used to apply the collective labour agreement of 1951. Now, it is the employer recommendation. In that collective labour agreement, wages do not evolve a lot. At the same time, the French minimum wage has increased. In 2016, our young nursing auxiliaries will be paid at the minimum wage. I do not understand this. They have a diploma and they have competences. It is incoherent”²⁰. The phenomenon is already visible; indeed a lot of nursing homes already are difficulties in their recruitment.

Another problem is also underlined which is if the collective labour agreement disappears, public authorities can decide to stop the financing of the organizations.²¹

In this context, it is now interesting to try to understand the events that have led the actors to this situation.

3.3 Budgetary constraints and « standardisation » of social partners’ relationships: the ambiguous position of social economy

Our aim is now to understand the causes of this conflict. As we have seen, the main reason for the changes is the management of the budget: « we have modified the collective labour agreement because a number of the FEHAP structures are in the red and because in the collective labour agreement, wages are evolving faster than the revenues which are given to us”²². Several causes explain the budgetary difficulties. The first explanation is the context of public expenditure reduction. The social and medico-social field has had to reduce its expenditure: “we have the impression that the sector is living beyond its means!”²³. These changes are linked to the new regulatory framework established by the different public policies since a decade ago. Social economy organisations have to become like traditional companies: “after the 2002 law, we have instituted a private company status and there are associations which have disappeared”²⁴. Their status has changed also because of the competition coming from for-profit enterprises which can cause a « conventional competition »²⁵.

The question of a difference between social economy and the other companies is not obvious. Employer associations often refer to economic aspect and principles in their communications. The

¹⁵ CFDT, Paris, October, 2012

¹⁶ Manager of a nursing home, social economy organisation, FEHAP member, Angers, November 2012

¹⁷ Manager of a nursing home, social economy organisation, FEHAP member, Angers, November 2012

¹⁸ Manager of a nursing home, social economy organisation, Paris, June 2013

¹⁹ Manager of a nursing home, social economy organisation, Nantes, July 2013

²⁰ Manager of a nursing home, social economy organisations, Nantes, July 2013

²¹ URIOPSS, Nantes, November 2012

²² Manager of a nursing home, social economy organisation, FEHAP member, Angers, November 2012

²³ CGT, Paris, December 2012

²⁴ UNIFED, Nantes, January, 2013

²⁵ CFDT, Paris, October 2012

tension that we have observed previously between economical utility and social utility is important. In the social and medico-social sector, the conflict caused by the collective labour agreement of 1951 is not alone as all the other collective labour agreements are also concerned. Social economy has to face new relationships between employers and employees. In certain organisations, during the collective labour agreement of 1951 conflict, there was the first demonstration of workers: "the workers have reacted. More and more workers, who have had a 30 year-career and who have never demonstrated, have another culture and did not want to hear about trade unions, are joining unions and even more fight for their rights"²⁶.

Finally, social economy is in a social dialogue where social relationships are under the same constraints as in the for-profit sector. Structural changes have introduced deep changes in terms of social dialogue: "it is true that in human resources management, there is no profit in our organisation. However, as we have external financing, it is a little bit complicated because when we talk about a collective labour agreement, it is the same kind of dialogue as in for-profit companies. I do not say that I am disenchanted because I believe in what I am doing, but the power relations between employers/employees exist."²⁷. When they talk about social economy, trade unions use the same arguments as for for-profit companies: "the FEHAP is an employers' union which does not care about social dialogue. They think they are always right"²⁸.

Conclusion

In response to our opening question, we have seen that interprofessional federations, a particular professional branch, have permitted social economy to assert its identity. However, with the study of a conflict caused by a collective labour agreement, we have seen that the constraints which affect social economy lead us to think that in practice, the border between social economy and for-profit organisations is not clear. The conflict of the collective labour agreement of 1951 illustrates the difficulties in working relationships in a context of regulation changes. Workers demonstrated for the first time. This raises the issue of the flexibility of social economy to act as they want: "in the non-profit sector, it is really astonishing the hardness of the employers... Are they dispossessed of the negotiation? Because, it is a game between public authorities, workers' organizations, workers, and employers"²⁹. The specific nature of social economy on social dialogue has not been proved. It seems to be more an expressed intention than a reality. The question that we can raise is the following one: do social economy organisations have to become like other companies to survive?

This is a subject that calls out for further research.

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²⁶ CFDT, Nantes, February 2013

²⁷ UNIFED, Nantes, November 2013

²⁸ CFDT, Nantes, February, 2013

²⁹ CFDT, Paris, October 2012

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