

EPSU CJ: Strengthening trade union democracy

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Trade union life was never meant to be easy. On the contrary, the trade union movement arose to fight against the odds. Routine and complacency are inconsistent with its mission, and once they set in, risk undermining the mission from within, weakening the movement's ability to play its role defending the workforce.

This is what happened at the Court of Justice. In an environment which is unfavourable to public debate, social malaise finds its preferred outlet through gossip. Gossip, which worked its way as far as into judgments of the late Civil Service Tribunal, shuns the light of day, escapes open debate, and has enormous power to undermine. All the while, it leaves nothing but a void in place of what it has destroyed.

"Independence" makes a comeback

Such was the climate in which staff elections were held at the Court of Justice, from 7th to 8th December. It was not the rival trade union, 'Union Syndicale' Luxembourg ('US'L), which shook EPSU CJ's dominant position, but a list of 'IN'dependents which saw the light days before the elections.

Indeed, 'US'L (which, although it has broken its ties with Union Syndicale Fédérale, persists in bearing a misleading name and laying claim to it before the courts) is still perceived by the staff of the institution as a foreign body, bombarding the Court of Justice with products made at the Commission (Luxembourg) for the Commission (Luxembourg). For reasons unrelated to trade union criteria, it obtained one seat, which added to the 6 seats of the 'IN'dependents forms a majority.

EPSU CJ, with the highest number of votes (39.2%) and 6 seats, remains the only representative union at the Court of Justice. EPSU CJ alone will represent the staff of the institution at the negotiations, which are expected to be tough. The statutory deadline (see Article 15 (4) of Annex XI), at the end of 2018, triggers a process for amending the Staff Regulations. Negotiations will cover application of the method (which last year yielded results that were considered "too generous"), the so-called "solidarity levy" and, in the process, pensions and staffing levels, all under the long shadow of Brexit.

However, the 'IN'dependents, impassive in the face of such imminent risks, hastened to proclaim their independence from trade unions. Yet, the only type of independence that really matters, independence vis-à-vis our employer, isn't even an issue as far as they are concerned.

They claimed "*greater responsiveness, free of trade union constraints*". The truth is that the outgoing Staff Committee's communication shortcomings were in no way due to the trade

union that supported it (EPSU CJ), but rather to the weakening of the link between this union and the StaffCom.

Troublesome issues ...

The 'IN' dependents, who prior to the election had not made use of their democratic right to raise their criticism at the StaffCom or the trade union – craftily turned these StaffCom weaknesses against EPSU CJ and, furthermore, against trade unionism in general. This is tantamount to sawing off the branch on which we are all seated.

This is a cultural counter-revolution: putting forward harmless “demands” (such as, “*to promote informal exchanges between colleagues on professional matters, but also regarding culture and sport*”, “*to encourage social life outside of working hours, in particular by organising ‘afterworks’ at the Court*”), while remaining silent on any troublesome issues.

It is precisely the troublesome issues that extend beyond the corporatist framework, which EPSU CJ has raised and will continue to raise. Our 'IN' dependents are well aware of these issues; and, they united to block EPSU CJ from using the weapon that is statutory staff representation.

Fully reinstate the union's role

This electoral setback provides EPSU CJ with an opportunity to restore a better balance between the union and the statutory limb of staff representation. Our union now has a renewed and more cohesive team.

This team combines experience, knowledge, and, the ability and will to fight. To invert the 'IN' dependents' slogan, this team promises “*greater responsiveness, free of statutory representation constraints*”. And now, we are in a better position to do so.

Vassilis Sklias
EPSU CJ President
Member of the Federal Committee