



MAD MAX OR DOES UKRAINE REALLY WANT TO BE PART OF THE EUROPEAN SOCIAL MODEL?

ABSTRACT

There is a lack of progress in Ukraine on implementing social dialogue mechanisms as one of the basic elements of the European social model. It is a matter of serious concern that the tripartite body does not function in practice. The participation of social partners (trade unions and employers' organisations) in the drafting of the new labour code is unsatisfactory. There is a need to increase political pressure on the Ukrainian authorities (both from the European Commission and from individual member state governments) to effectively involve Ukrainian social partners in the process of labour law reform. This is crucial for the future of social dialogue as one of the key elements of the European social model in the EU. For the future reconstruction of Ukraine to be an opportunity for workers, public authorities and employers must recognise the right of trade unions to organise workers, fully restore the right to strike, and bring individual and collective rights into line with EU and international standards.



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The worrying situation of social dialogue in Ukraine

During the European Trade Union Summit for Ukraine, held in Lublin in April 2024, it was very clearly emphasised that, despite very difficult circumstances related to full-scale Russian aggression, Ukraine was urgently recognised as a candidate country for accession to the EU, which opened the prospect of including the country in the area of influence of the European social model.¹ Similarly, EU trade unions have pledged to fully support and participate in Ukraine's path to the EU, so that accession will benefit all workers in Ukraine and the rest of the EU.²

At the same time, however, EU trade unions strongly condemned the actions of the Ukrainian authorities and employers in systematically violating workers' and trade union rights, which could complicate and delay the country's path to EU accession and, if not corrected, could lead to the country's failure to meet key membership criteria.³ This is because respect for social dialogue and the role of independent social partners, including full respect for trade union rights, freedom of association, the right to organise, collective bargaining, the right to strike and full protection of trade union representatives, is the cornerstone of democracy and a pillar of the European social model.

EU trade unions are concerned that Ukraine's National Tripartite Social and Economic Council, a key platform for social dialogue, has been inactive for several years (however, it cannot be overlooked that the National Mediation and Conciliation Service takes over some functions of the National Tripartite Social and Economic Council in practice⁴). This structure needs to be fully operational with a clear mandate and effectively used to address key social and labour issues if the country is to be in line with

the European social model.⁵ The quality of life and the economic and social stability of the country depend, to a large extent, on the effective functioning of this body.

This will require:

- stronger enforcement (labour inspections, enforcement by the courts) of labour rights during and after the current martial law period, with greater accountability to multinational corporations and foreign investors;
- a revival of labour relations in the country, promoting both tripartite and bilateral negotiations, not to be confused with civil society dialogue;
- a comprehensive revision of labour legislation based on a properly restored social dialogue that recognises and respects the right to strike, collective bargaining, and trade unions and their legitimate role in the workplace and society at large;
- the establishment of a Ukrainian instrument to support trade union capacity building; and
- prevent the replacement of trade union and social partner participation by non-governmental organisation/civil society participation in tripartite (state, employers, trade unions) formats at all levels.



For the future reconstruction of Ukraine to be an opportunity for workers, public authorities and employers must recognise the right of trade unions to organise workers, fully restore the right to strike, and bring individual and collective rights into line with EU and international standards.



Ukraine's labour law dilemma: Breaking from the Soviet past, while falling short of EU standards

Ukraine's dramatic defence against the Russian Federation's war of aggression certainly justifies the introduction of certain emergency measures, but, at the same time, it cannot be a reason for the introduction of regulations of a permanent nature restricting labour rights.

The unequivocal position of European trade unions indicated above corresponds with the European Commission's assessment of Ukraine's progress in aligning with EU labour relations standards. The European Commission indicates that, with regard to labour law, significant shortcomings in this legislation still need to be addressed to modernise it with the real involvement of social partners, bringing it in line with the EU acquis. As for social dialogue, the National Tripartite Social and Economic Council did not hold any physical meetings during the reporting period, and there were no systematic consultations between the government and social partners. Capacity strengthening of social partners should be intensified.⁶ In particular, it is worth noting that the National Tripartite Social and Economic Council has not held a meeting since December 2021.⁷

The last general agreement on the regulation of the basic principles and norms of social and economic policy and labour relations in Ukraine for 2019-2021 was signed in 2018. In accordance with the provisions of this agreement, the parties shall start negotiations at the conclusion of the general agreement for a new period no later than 12 months before the expiry of the period for which it was concluded. If the negotiations for the conclusion of the agreement for a new period are not completed within 12 months, the agreement shall be extended for a negotiating period to be determined by the parties. Formally,

therefore, the last general agreement is still de jure in force. What is clear, however, is that the lack of meetings (I emphasise: the lack of even formal meetings, let alone undertaking a consultation process and reaching an agreement) indicates a complete breakdown of social dialogue in Ukraine.

This is worrisome in the context that the Ukrainian parliament has passed a law "on the organisation of labour relations during martial law" (which came into force on 24 March 2022), introducing certain restrictions on labour rights in response to Presidential Decree No. 64/2022, which declared martial law in Ukraine in the wake of the Russian invasion.

The most important changes introduced by the new law are as follows, and are only currently in effect for the duration of martial law. A detailed overview of the developments is listed in Annex 1, but it's important to add that key legislative changes include allowing oral employment contracts, expanding the use of probationary periods, enabling temporary job reassignments without employee consent (under safety conditions) and suspending employment contracts without pay in cases linked to military aggression. Employers can also terminate contracts with reduced notice periods, while employees may resign without notice in war-affected areas. Public holidays are suspended, and working hours may extend up to 60 hours per week.

This regulation constitutes such a drastic indefinite restriction of labour rights (even taking into account the ongoing aggression by the Russian Federation) that one should have expected at least tripartite agreement, which has not taken place.

The Ukrainian trade unions themselves and their international representative bodies, such

as the ITUC⁸ and ETUC,⁹ have often publicly opposed this and sent stern letters of warning to the Ukrainian authorities that their actions are completely incompatible with the chosen path leading to the European social model.¹⁰

It is noteworthy that the plan for the reconstruction of Ukraine prepared by the National Council for Reconstruction and presented in Lugano emphasises the problem of reducing state participation in social dialogue as a task to be accomplished towards the adoption of “new innovative development trends” in the economy.¹¹

The above actions raise serious concerns about whether Ukrainian policymakers really want the country to become part of the European social model. Draft plans for the country’s post-war reconstruction suggest that the Ukrainian government intends to abandon the long-standing principle of consulting trade unions and employers’ organisations, which should be part of its bid for EU membership.

According to the think tank Open Democracy, documents published by the National Council for the Reconstruction of Ukraine after the War, a body appointed by President Volodymyr Zelensky, show that the Ukrainian government plans to move to a model of non-interference of the state in the dialogue between trade unions and employers. In short, a thorough deregulation of the labour code would mean that up to 70% of the country’s workforce – employees of small and medium-sized enterprises – would fall outside its scope. This is a vision described by one Open Democracy expert as a “Mad Max-style dystopia”. It is so far from the legalistic standards of the EU that it is doubtful whether Ukraine will be able to meet the requirements of the *acquis communautaire* in the social sphere, thus fulfilling Russia’s de facto expectations to block the country’s accession to the EU.¹²

Social dialogue in the EU – each member state must respect its principles

To understand the importance of this issue, it is necessary to understand what social dialogue is for the EU. It is the basis of non-conflictual relations between labour, capital and public authorities, derived from the principles of the European social model, which emerged as a result of the socio-economic development of Western European countries aimed at rebuilding their economies after the Second World War, taking into account the need to create national social policies that provide adequate social security for workers.

It should be understood as involving the participation of social partners in the process of shaping public policies in the area of employment and social policy.

At the EU level, this is reflected in Articles 151¹³ and 152 of the Treaty on the Functioning of the EU (TFEU).¹⁴ The European Commission’s legal obligation to consult European social partners (Article 154 TFEU) is also essential. The European Commission is obliged to consult European social partners in the legislative process in the field of social policy in the broadest sense.¹⁵

Today, there is a visible drive to strengthen the capacity of social partners at both national and EU levels. Social dialogue in all its forms is seen as an essential tool in the process of a *just transition*. The participation of social partners in activities (including negotiations) related to the *twin transition* (climate challenge and technological change) is seen to be essential for maintaining social peace, but also contributes to building the competitiveness of the EU economy.

This is reflected in the 12 June 2023 Council recommendation on strengthening social dialogue in the EU. In recent years, the importance of collective bargaining has been particularly emphasised. According to Article 4 of the European Adequate Minimum Wage Directive (2022/2041), member states with a percentage of workers covered by collective bargaining below 80% must take corrective action with the participation of national social partners. The national plans drawn up must be notified to the European Commission.



At this point, it should be emphasised that Ukraine's commitment to implementing the EU social acquis, the social acquis communautaire and soft practices in this area, is dynamic. Dynamic in the sense that the EU acquis in this area is developing and evolving.



New areas are being developed (e.g., the European Commission recently launched a consultation with European social partners on remote work and the right to disconnect).

Equally important is that the instruments already adopted in the EU are dynamic in nature. The most important example is the European pillar of social rights, the EU's basic action plan for social progress and the development of common social standards.

All this means that Ukraine is faced with the need to take action on the above-mentioned recommendations and the targeted implementation of Article 4 of Directive 2022/2041, and this is not changed by the

situation of the ongoing war, as these are necessary actions for progress in the accession process. These obligations cannot be postponed until after the war. The implementation of the above-mentioned legal measures and the lack of social dialogue are in direct contradiction to the requirements of the EU and visible trends in its policies.

Civil dialogue and the participation of civil society at large in the process of deliberation on public policies, and their subsequent formal formulation by the executive branch and adoption by the legislature through the legislative process, are essential. This should not be seen as something unique, aimed at creating obstacles for candidate countries, as it also applies to current EU member states. Annex 2 contains examples of references included in the national recommendations issued by the Council to member states as part of the European Semester process.

The geopolitical situation is highly volatile and influences the tasks the EU sets itself with regard to the Green Deal, but the challenge of the so-called *twin transition* will not disappear. The need to reorient the supply of energy resources or to develop its own defence industry are obvious examples. There are also concerns about the loss of jobs, as a result of the use of artificial intelligence and increasing automation.

However, one thing is certain – social dialogue is seen in the EU as an essential tool for dealing with all kinds of challenges in the above area, because it is the social core of the integration process itself. The EU mills grind very slowly in this area because of the need to take into account national traditions and practices. However, the experience of the last eastward enlargement of the EU (2004/2007), when countries with poor-quality social dialogue and industrial relations entered the EU, has been thoroughly analysed.

And it is obvious that EU policymakers do not want to allow a future member of the EU (especially a big one in terms of population, and thus, participation in the EU decision-making process, as well as economic potential) to bring with it the possibility of undermining the principles of the European social model. Therefore, it is extremely important which way Ukraine chooses.

Revitalising Ukraine's trade union movement: From current challenges to a European path forward

When writing recommendations for the Ukrainian trade union movement, one can't help but begin with words of appreciation for its efforts to support the Ukrainian people's struggle against Russian aggression; efforts to organise materials, logistics and other forms of support. These obvious words of respect are due to the entire civil society of Ukraine.

Trade unions in Ukraine – without sounding overly dramatic – must first survive; at the same time, they must undertake an internal reflection on their internal organisation and try to strengthen their professional potential. These are very difficult challenges in the face of an ongoing war, an unclear future, and a deteriorating socio-economic situation resulting from the natural and understandable fatigue of Ukrainian society. This survival (and the need for internal reforms) is taking place alongside the hostile attitude of public authorities and the indifference of employers' organisations to the need to develop relations with representatives of the world of work.

Trade unions are self-governing and independent organisations both from the state and from employers (employers' organisations). Therefore, there is no possibility (it is inadvisable

and contrary to the international standards of Ukraine) for public authorities to impose internal solutions on trade unions – even if it would be possible to “objectively” defend their rightness in the context of the need to revitalise the trade union movement.

It can also be emphasised that very similar problems have plagued, and continue to plague, the trade union movement not only in Ukraine, but also in Central Europe, as well as in the so-called old EU member states. In short, these include the aging population of trade union members. In this context, it is necessary to specifically promote young trade union leaders – firstly, because they have greater potential to attract younger members to the trade union movement, and secondly, to rejuvenate the image of trade unions. This can be promoted through specific provisions in the statutes of trade union organisations (a limited number of terms of office for union leaders at the company, sectoral or national level, or “quotas” for young members in various statutory bodies). Similarly, quotas can be used to increase the participation of women in union decision-making bodies.

However, these are actions that can only come from the organisation's own thinking and sovereign decisions. In other words, what may seem obvious and necessary from the point of view of an industrial relations researcher may not be perceived as such by trade union members and their statutory bodies. However, it should be emphasised that the issues of adapting the internal structure, promoting young leaders and promoting women in the trade union movement are crucial from the point of view of a possible attempt to revitalise the trade union movement. However, decisions can only be made by the trade union organisations themselves.



It is worth recalling here the experience of trade unions in Central European member states. The inadequacy of their structures to meet the challenges of the need for collective bargaining at the post-company (sectoral, regional) level is evident not only in Poland but in most countries of the region.



The adjustment of structures requires autonomous action by trade unions and cannot be imposed from outside. One can only hypothesise that the lack of such adaptation (including in very difficult and internally sensitive areas, such as the distribution of union dues between individual companies and post-company union structures) is crucial for the revitalisation of the trade union movement. In the author's view, the link between trade unions and the enterprise level in Central Europe is becoming increasingly dysfunctional. These are experiences that, in my opinion, Ukrainian trade unions should reconsider.¹⁶

Ukraine's commitment to the European social model: Turning a missed opportunity into future success

The role of public authorities is to create a regulatory environment conducive to collective bargaining.



Employers with collective agreements should be "rewarded", with easier access to public procurement or EU (and other aid/development) funds that are and will be available in the process of rebuilding the country.



Explicit provisions should be made to distinguish sectoral employers' organisations that have a mandate from their members to engage in collective bargaining and to conduct these sectoral negotiations with unions. There is nothing wrong with associations, lobbying groups and other representations of capital, but they should be distinguished from employers' organisations, which differ from business associations in that they engage in negotiations (if not negotiations, then organised forms of social dialogue) with trade unions on behalf of their members.

The basic thesis that the author wishes to emphasise is the conviction that it is impossible to establish an effective tripartite dialogue with public authorities without strong bipartite dialogue that produces tangible results – even the most modest ones, in the form of common positions indicating what employers' organisations and trade unions know similarly and what they know differently.

The participation of social partners in the deliberation process for the creation of public policies in areas related to employment in the broadest sense (working conditions, health and safety at work, social security, social benefits, active and passive labour market policies, lifelong learning), in the process of their creation and adoption and subsequent implementation, is part of the European social model.

The role of the European Commission is to exert strong pressure on the Ukrainian authorities to take measures to increase the capacity of social partners, to continuously express the expectation that social partners will be involved in the deliberative process of public policy making, and to create a favourable legal framework and practices for the development of collective bargaining.

What is the danger of not creating a favourable legal framework and practices for the development of social dialogue in Ukraine? This question can be answered formally – it is threatened by the failure to implement the obligations assumed by Ukraine in connection with the implementation of the *acquis communautaire*, which is an important part of the European social model. This is a very formal response. Much more valuable is the viewpoint that points to the value of social dialogue, regardless of the commitments undertaken by Ukraine.

The lack of a clear and meaningful voice for workers' representatives in shaping the rules and procedures for rebuilding the country after war damage risks the adoption of regulations that are clearly and unequivocally pro-business and will result in the domination of capital over labour for years to come. Failure to strengthen the voice of civil society risks hampering the fight against corruption and oligarchic structures.



Collective bargaining is an element of democracy and voices in the workplace. These experiences of democracy and voices at work will help strengthen democratic structures in various dimensions of social and economic life. The experience of work is one of the fundamental experiences that shape the attitudes of citizens. If experiences in this dimension are characterised by participation, this translates into participatory behaviour in other spheres of social life.



In addition, the lack of a strong democratic dimension and voice in the workplace makes the implementation of legal labour standards very expensive (requiring very strong strengthening and funding of monitoring bodies). It is cheaper and more effective if the presence of trade union structures in the workplace is part of the monitoring of compliance with statutory labour laws.

Looking at the role of social dialogue, its absence results in weaker opportunities for the development of lifelong learning and the adaptation of workers' skills and competencies to the twin transitions. Lack of dialogue is an inability to mitigate social tensions related to climate change, the energy transition, decarbonisation or policies to build a circular economy. And these are challenges that will inevitably confront Ukraine, whose strengths will be largely depleted by long-term defence efforts.

Lastly, it is important to emphasise that the implementation of the European social

model in Ukraine, as well as the pursuit of its implementation, needs to be considered from two perspectives. First of all, the obvious perspective: the perspective of the expectations of the Ukrainian working world regarding the emergence of solutions that will give democracy, a voice and representation in the workplace, and the participation of representatives in the formation of state policy. But it is also necessary to look at it from the opposite perspective: Ukraine will sooner or later become a member of the EU, and how the mechanisms of workplace democracy are shaped there will affect the standards in the rest of the EU (due to Ukraine's population and economic potential).

These are two-way processes. From the perspective of preserving and developing the European social model (one of its elements in the form of the importance of social dialogue) and the creative coexistence of the world of labour and the world of capital, there is a need to strengthen support for Ukrainian social partners and put pressure on Kyiv's public authorities to treat having a voice and democracy in the workplace as key issues. This expectation of the authorities in Kyiv must be voiced by both the European Commission and the governments of individual EU member states. Simply for the sake of the EU's future, neither Ukraine nor the EU needs a dystopian vision of Mad Max on our continent, even if it makes for good viewing on the big screen.

Annex 1

Employment contracts and trial periods

- A mandatory written employment contract will no longer be required to give employers more flexibility to quickly replace absent employees. This rule refers to the agreement between an employee and an employer; it

is not a unilateral decision by the employer. Accordingly, an oral contract will be accepted.

- In addition, employers will be able to waive restrictions that normally apply under the Ukrainian labour code by:
 - concluding fixed-term employment contracts with new employees for the duration of the war or to replace a temporarily absent employee;
 - establishing a probationary period for any category of employee; and
 - transfer to another job and changing basic working conditions.
- Employers also have the right to temporarily reassign an employee to another position without their consent, when such reassignment is necessary to avoid the effects of hostilities or other circumstances that threaten health or life. A change in an employee's basic terms and conditions of employment will not be subject to the usual two-month notice period. However, the following restrictions apply:
 - Employers may not relocate an employee to an area under active military attack.
 - Newly assigned duties should not interfere with any medical conditions that the transferee may suffer from.
 - The salary cannot be lower than that of the previous position of the acquiring entity.
- Employers will be entitled to dismiss employees who disagree with the changes in basic conditions of employment.

Termination and suspension of the employment relationship

- Suspension: employers have the right to suspend the employment contracts of their employees, as well as certain provisions (such as additional payments and certain benefits) of existing collective bargaining agreements, for reasons arising from Russian military aggression. In such cases, employers will not be required to pay wages to their employees or any other employment-related benefits.
- Termination of employment: employers facing liquidation due to the destruction of their facilities as a result of military attack will be able to terminate the employment contracts of their employees, with ten days' notice and a severance payment of one month's salary. The layoffs can occur during the martial law period, even while the employee is on sick leave or vacation. This provision was introduced due to Law No. 2352 on a permanent basis; the effectiveness of these specific changes is not limited to martial law only.
- Resignation: employees working in the affected area may voluntarily resign without giving their employer two weeks' notice.
- Employers will not be required to obtain the union's consent before dismissing a union member. However, consent is required if the employee is a member of the union's executive board. Employers will also be able to suspend all financial contributions to union activities.

Working conditions

- Paid leave: an employer has a right to limit annual paid leave to 24 days, and to deny extra paid leave, apart from pregnancy and maternity leave. The denial applies only to employees engaged in work at critical infrastructure facilities. During the period of martial law, an employer may deny an employee **any** type of leave (except for maternity leave and leave to care for a child until the child reaches the age of 3) if such an employee is involved in performing work at *critical infrastructure facilities* (Article 12(2) of Law No. 2136).
- However, during the period of martial law, the granting of any type of leave to an employee (except for maternity leave, leave to care for a child until the child reaches the age of 3 and leave in connection with the adoption of a child) over the duration of the annual basic leave provided for in paragraph one of this part may be carried out without saving wages, according to the employer's decision (Article 12(1) of Law No. 2136).
- Unpaid leave: unpaid leave can be granted to employees who have gone abroad or who have been internally displaced (limit of 90 days).
- Public holidays: public holidays will not be in effect during martial law, as related regulations will be suspended for the duration of martial law.
- The standard working hours of 40 hours per week may be increased to 60 hours per week for employees working at critical infrastructure facilities (in the defence sector, public utilities, etc.).

Annex 2

- Recommendations for Poland 2022: ensure effective public consultation and involvement of social partners in the policy-making process.¹⁷
- Recommendations for Hungary 2022: improve the quality and transparency of decision-making through effective social dialogue, collaboration with other stakeholders, and regular impact assessments.¹⁸
- Recommendations for Hungary 2024: improve the level of education and access to effective active labour market instruments, especially opportunities for upgrading and retraining for the most disadvantaged groups, and ensure effective social dialogue.¹⁹
- Recommendations for the Czech Republic 2024: the systematic involvement of local and regional authorities, social partners, civil society, and other relevant stakeholders remains essential to ensure broad ownership of the successful implementation of the reconstruction and resilience plan.²⁰
- Recommendations for Bulgaria 2024: member states should ensure the involvement of their national parliaments and, where appropriate, consultation with independent fiscal accountability bodies, social partners and other national stakeholders.²¹

Endnotes and References

1 On 17 June 2022, the European Commission recommended that the European Council grant Ukraine candidate status for accession to the EU. On 23 June 2022, the European Parliament adopted a resolution calling for the immediate granting of candidate status for EU membership to Ukraine. On the same day, the European Council granted Ukraine the status of a candidate for accession to the EU. It is one of nine current EU candidate countries, together with Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia and Turkey.

On 14 December 2023, the European Council decided to open accession negotiations with Ukraine. Accession negotiations officially opened on 25 June 2024, at the same time as those with Moldova.

2 [“Trade Union Summit for Ukraine - declaration”](#). European Trade Union Confederation, 23 April 2024.

3 The labour issue is particularly important and urgent, as in March 2025, the EU-Ukraine Association Council is scheduled to discuss the implementation of Chapter 21 of the Association Agreement (Cooperation on employment, social policy and equal opportunities (Articles 419-425)).

4 [“Mission, vision, values”](#). National Mediation and Conciliation Service.

5 There is concern about the current procedure for drafting the labour code: according to available information, the draft labour code was developed by a group of experts and academics under the leadership of the Ministry of Economy of Ukraine without the involvement of institutional social partners. In August and September 2024, the trade union side prepared its preliminary comments on the draft, which were submitted to the Ministry of Economy for processing. Currently, a tripartite working group, consisting of representatives of the ministry, all-Ukrainian representative trade unions and employers’ organisations, is expected to begin an article-by-article discussion of the draft with the involvement of expert and academics.

6 [“Commission staff working document Ukraine 2024 report accompanying the document communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2024 on EU enlargement policy”](#). SWD(2024) 699 final. European Commission, 30 October 2024.

7 At the same time, the territorial tripartite economic and social councils continue their meetings at the regional level.

8 Visentini, L. and S. Burrow (2023) [“ITUC & ETUC letter to the European Commission and European Council regarding Law 5371 on workers’ rights in Ukraine”](#).

European Trade Union Confederation, 24 August.

9 [“European trade unions urge EU to implement Ukraine commitments”](#). European Trade Union Confederation, 11 February 2021.

10 Ivanova, A. (2024) [“Trade union perspectives on the war in Ukraine”](#). LSE Conflict and Civiness Research Group, 30 January.

11 [“Recovery plan”](#). Ukraine Recovery Conference. London, 21-22 June 2023.

12 Rowley, T. and S. Guz (2022) [“Ukraine could abandon key labour principle as part of EU drive”](#). Open Democracy, 9 August.

13 Article 151 of the TFEU details the EU’s social policy objectives: promoting employment; improving working and living conditions; equal treatment of workers; adequate social protection according to needs; social dialogue; the development of human resources to achieve high and sustainable levels of employment; and combating social exclusion.

14 Article 152:

the Union recognises and supports the role of social partners at its level, taking into account the diversity of national systems. It facilitates dialogue between the social partners, respecting their autonomy.

The Tripartite Social Summit for Growth and Employment contributes to social dialogue.

15 Article 154:

(1) The Commission is tasked with promoting consultation with social partners at the Union level and shall take all appropriate measures to facilitate their dialogue, providing balanced support to the parties.

(2) To this end, before submitting proposals in the field of social policy, the Commission shall consult social partners on

the possible direction of Union action.

(3) If, after such consultations, the Commission deems Union action advisable, it shall consult social partners on the content of the planned proposal. Social partners shall send the Commission an opinion or, if necessary, a recommendation.

(4) On the occasion of the consultations referred to in paragraphs (2) and (3), social partners may inform the Commission of their intention to initiate the process provided for in Article 155. The duration of this process may not exceed nine months, unless the Commission and social partners jointly decide to extend it.

16 Adamczyk, S. and B. Surdykowska (2021) [“Naïve or realistic? The approach of Polish trade unions to the strengthening of the social dimension of the EU integration”](#). Hungarian Labour Law e-Journal, 2: 17-38.

17 [“Recommendation for a Council recommendation on the 2022 National Reform Programme of Poland and delivering a Council opinion on the 2022 Convergence Programme of Poland”](#). COM(2022) 622 final. European Commission, 23 May 2022.

18 [“Recommendation for a Council recommendation on the 2022 National Reform Programme of Hungary and delivering a Council opinion on the 2022 Convergence Programme of Hungary”](#). COM(2022) 614 final. European Commission, 23 May 2022.

19 [“Recommendation for a Council recommendation on the economic, social, employment, structural and budgetary policies of Hungary”](#). COM(2024) 617 final. European Commission, 19 June 2024.

20 [“Recommendation for a Council recommendation on the economic, social, employment, structural and budgetary policies of Czechia”](#). COM(2024) 603 final. European Commission, 19 June 2024.

21 [“Recommendation for a Council recommendation on the economic, social, employment, structural and budgetary policies of Bulgaria”](#). COM(2024) 602 final. European Commission, 19 June 2024.

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Graduate of the Faculty of Law at the University of Warsaw. Legal advisor to the National Commission of NSZZ Solidarność and expert of the GoodCorp and MONACO research networks at the European Trade Union Institute. Expert of the Social Dialogue Council. For many years she was teaching labour law at the Cardinal Stefan Wyszyński University in Warsaw. In 2013-22, correspondent of the European Foundation for the Improvement of Living and Working Conditions (Eurofound). She specialises in European and international labour law issues. She has cooperated in a number of research projects on labour rights in transnational corporations and the impact of new technologies on labour relations. Member of the negotiation and implementation teams dealing with the results of the European Social Dialogue. Initiator of the trade union campaign for the implementation of the Revised European Social Charter in Poland. Author of many papers and chapters in academic publications.

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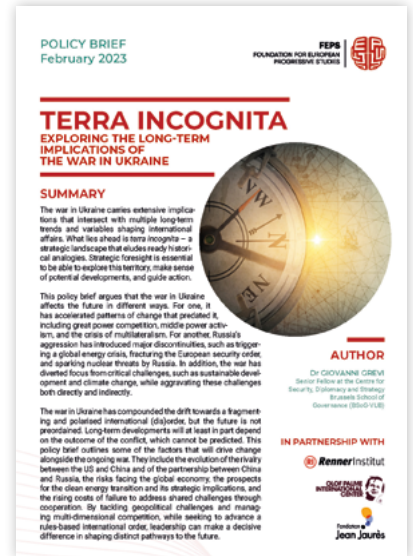
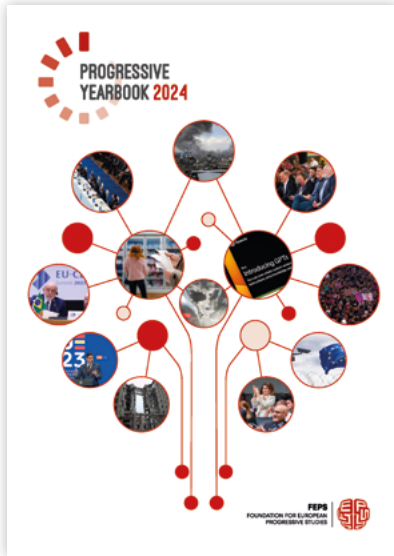
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