

THE ROLE OF SOCIAL DIALOGUE IN TIMES OF ENVIRONMENTAL CHALLENGES

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...progress towards a sustainable, fair and inclusive social Europe requires a strong shared commitment to both the promotion of the UN 2030 Agenda and the implementation and realisation of the principles and rights enshrined in the European Pillar of Social Rights; stresses the need to develop an ambitious political agenda with identifiable, achievable, sustainable, clear and binding targets and indicators for social sustainability; Points out that the next EU Social Summit in Porto in May 2021 would be an excellent opportunity for the leaders of the 27 Member States, the European Council, the European Parliament and the European Commission to adopt this agenda at the highest political level; calls for the involvement of the social partners throughout the process...”¹

Abstract

Stakeholder involvement and dialogue with the social partners are of paramount importance for the implementation of climate-neutral policies and the circular economy. With the European Green Deal, the European Commission is reaffirming its commitment to tackling the climate and environmental challenges that are the defining task of our generation. The atmosphere is warming and climate change is being felt year on year. This transition must be fair, and the fair transition mechanism itself will support regions that are highly dependent on carbon-intensive industries.

Keywords: *climate neutral policy, social dialogue, fair transition, trade union, practice.*

1. Topicality

Stakeholder involvement and dialogue with the social partners are of paramount importance for the implementation of climate-neutral policies and the circular economy. With the European Green Deal, the European Commission is reaffirming its commitment to tackling the climate and environmental challenges that are the defining task of our generation.

The atmosphere is warming and climate change is being felt year by year. One million of the Earth's eight million species are threatened with extinction. Forests and oceans are being destroyed by pollution.² The European Green Deal responds to these challenges. As a new strategy for growth, it aims to transform the EU into a just and prosperous society with a modern, resource-efficient and competitive economy, where net greenhouse gas emissions are eliminated by 2050 and where

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¹ European Parliament resolution of 17 December 2020 on a strong Social Europe for a just transition (2020/2084(INI)) 3.

² See about this: Intergovernmental Panel on Climate Change (IPCC): Special Report on the impacts of a 1.5°C increase in global temperatures; ii. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services: 2019 Global Assessment Report on Biodiversity and Ecosystem Services; iii. International Resource Panel: 2019 Global Resources Review: Natural Resources for our Desired Future; iv. European Environment Agency: Europe's Environment - State of Play and Outlook 2020: Knowledge for a Sustainable Europe.

economic growth is not resource-dependent.³

This *transition* must be *fair*, and the *fair transition mechanism* itself will support regions that are highly dependent on carbon-intensive industries. The mechanism will support the most vulnerable citizens in the transition, giving them access to retraining programmes and job opportunities in new economic sectors.⁴

To this end, EU Member States must prepare Territorial Just Transition Plans (also known as Just Transition Territorial Plans) in order to qualify for the €17.5 billion Just Transition Fund. To qualify for the Fund, Member States must submit to the European Commission so-called Territorial Just Transition Plans, which are being prepared for three counties in Hungary - Heves, Borsod-Abaúj-Zemplén and Baranya. Their preparation was coordinated by the Ministry of Innovation and Technology (ITM) with a partner appointed by the Commission, a consortium of KPMG, involving other ministries and relevant local stakeholders

An important segment of the development of a territorially equitable transition plan in our region is the development of sustainable and replicable mobility solutions in the Mátra Power Plant Region.⁵ The facilitation of the implementation of the Hungarian National

Energy and Climate Plan⁶, with a special focus on the coal drainage of the Mátra Power Plant and ensuring a sustainable and equitable transition of the power plant and its region is a very good example of this. This will include the first full industrial coal decarbonisation best practice in Central and Eastern Europe, innovative prototypes to improve the energy efficiency of lignite-fired households, a complex training programme ("Caring Career Change") for Mátra Power Plant employees, 5 innovative climate-friendly prototypes to replace coal-fired technology, and a reduction of CO₂ emissions by 6.5 million tonnes.

The first Hungarian Coal Region Committee (50+ organisation) (high-level consultative forum and working groups) has been set up. A corporate mobilisation programme has been established for around 250 companies (suppliers and subcontractors of the Mátra Power Plant). The first complete industrial lignite export in Central Europe will thus be realised.⁷ As can be seen from the above, many of the principles of a fair transition are being met by the process under way.

The main numerical achievements in the area of Just Transition are: setting up the National Coal Region Committee; participating in the development of *Territorial Just Transition Plans* for the counties of Heves and Borsod-Abaúj-

³ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions - A European Green Deal, Brussels, 11.12.2019 COM(2019) 640 final, 8.

⁴ (2019) 640 final, 2. "... At the same time, the transition must be fair and inclusive. It must put people first and pay attention to the regions, industries and workers for whom it will be most challenging. As the changeover will involve major changes, active public participation and trust will be necessary for policy action to be effective and accepted. With the effective involvement of the EU institutions and advisory bodies, we need to bring citizens together in a new alliance with national, regional and local authorities, civil society and industry in all their diversity. ..."

⁵ See <https://igazsagosatmenet.eu/fenntarthato-mobilitas/>, 13 April 2022.

⁶ National Energy and Climate Action Plans of the European Union Member States for the period 2021-2030. The plans outline each country's climate and energy objectives and the steps and policies needed to achieve them and the common EU targets.

⁷ See <https://igazsagosatmenet.eu/fenntarthato-mobilitas/>, downloaded 13 April 2022. Sustainable mobility aims to limit the negative impacts of heavy traffic and reconcile economic, environmental and social criteria.

Zemplén; training and retraining 500 power plant workers; helping 250 companies (suppliers, subcontractors) dependent on the power plant to enter new markets. Carbon dioxide emissions will be reduced by around 14%, which represents almost 50% of the energy sector's emissions.

Aiming at a complete change of approach in sustainable mobility, systematic development practice for young talents; case design with project partners; creation of multidisciplinary talent teams; conducting advanced research analyses, situation assessments; structured programme and workshops for talents and project partners; entrepreneurship support; support and induction for business creation; developing competency-based blended learning courses with universities in the context of sustainable mobility; developing a curriculum of 4 modules (e-mobility, sustainable energy in mobility, sustainable individual mobility, urban challenges and sustainable urban mobility systems; developing and implementing an action plan; information flow between different stakeholder groups.

I have already dealt with the theoretical foundations of the fair transition in my work, and therefore I am concerned with one question in the context of this paper: the role of social dialogue in the process of the fair transition.

Although the role of social dialogue is very important in the transition, it is also changing in the context of changing economic and social conditions: globalisation and innovation are also having an impact on social dialogue.

2. Changes in social dialogue

Social dialogue can be defined as a set of negotiations, consultations, joint actions, discussions and information sharing involving employers and workers. A well-functioning social dialogue is a key instrument for shaping working conditions involving a wide range of actors at different levels. It strikes a balance between the interests of workers and employers and contributes to both economic competitiveness and social cohesion. Recent policy debates at European level have shown that, especially since the 2008 crisis, new debates on social justice, democracy, quality in work and new models of industrial relations have challenged traditional industrial relations and social dialogue systems. Thirty years after the historic launch of the European social dialogue at the Château de Val Duchesse in Brussels, the Commission launched a new start for social dialogue at a high-level conference of the European social partners on 5 March 2015. The European Social Dialogue is an EU social policy instrument that directly contributes to the development of EU labour legislation and policies.⁸

Article 151 TFEU stipulates that fundamental social rights, including those set out in the European Social Charter signed in Turin on 18 October 1961 and the 1989 European Convention on the Fundamental Social Rights of Workers. The Union and the Member States shall have as their objectives the promotion of employment, improved living and working conditions, thereby making it possible to reconcile them while maintaining the process of development, proper social protection, dialogue between management and labour and the development of human resources with a view to lasting high employment and

⁸ European Commission event *A new start for social dialogue*, Eurofound blog article: From Val Duchesse to Riga: how to relaunch social dialogue? (Val Duchesse-től Rígáig: hogyan indítsuk újra a szociális párbeszédet?)

combating exclusion; whereas initiatives arising from the European Pillar of Social Rights have a shared responsibility between the EU and the Member States, which have different social systems and traditions; whereas such initiatives should therefore safeguard national collective bargaining systems, ensuring a higher level of protection; whereas fundamental rights, proportionality, legal certainty, equality before the law and subsidiarity are general principles of EU law which must be respected.

Social dialogue and collective bargaining are key tools for employers and trade unions to develop fair wages and working conditions, and robust collective bargaining systems increase the resilience of Member States in times of economic crisis; as societies with strong collective bargaining systems tend to be wealthier and more equal; whereas the right to collective bargaining is an issue that concerns all European workers and can have a decisive impact on democracy and the rule of law, including respect for fundamental social rights; whereas collective bargaining is a fundamental European right, which the European institutions are obliged to respect under Article 28.1 of the Charter of Fundamental Rights whereas collective bargaining is a fundamental right which must be respected by the European institutions under Article 28 of the Charter of Fundamental Rights; whereas, in this context, policy measures which respect, promote and strengthen collective

bargaining and the position of workers in wage-setting systems play an important role in achieving high quality working conditions.⁹

Collective bargaining is a key tool for enforcing rights at work; whereas, according to OECD data, both the presence of trade unions and the prevalence of collective bargaining have declined significantly in recent decades; whereas since 2000, collective bargaining has been declining in 22 of the 27 EU Member States; whereas in countries with well-organised social partners and widespread collective bargaining, the quality of work and the working environment is on average higher; whereas collective bargaining, when widely applied and well coordinated, promotes good labour market performance.¹⁰

Blanpain wrote of globalisation and technological innovation as leading to the fragmentation of companies into interconnected groups where work is organised on a project basis. This changes the role of the employment relationship and the role of the social partners.¹¹ In effect, the *gig economy* represents a network of individuals connected to each other along separate projects.¹²

When discussing globalisation, many point out that collective bargaining at national level has been unable to regulate the relationship between employers and workers. What do we mean by this? Collective bargaining can secure higher wages if it has a wide coverage and is not only inclusive of all workers in a given

⁹ European Parliament resolution of 17 December 2020 on a strong social Europe for a just transition (2020/2084(INI)) J.

¹⁰ European Parliament resolution of 17 December 2020 on a strong social Europe for a just transition (2020/2084(INI)) K.

¹¹ BLANPLAIN, R (1999) European Social Policies: One Bridge Too Short, *Comparative Labour Law and Policy Journal*, 20, 497.

¹² MANGAN, D. (2018) Labour law: the medium and the message, in Frank Hendrickx - Valerio de Stefano (eds.): *Game Changers in Labour Law. Bulletin of Comparative Labour Relations - 100*, Kluwer Law International BV, Netherlands, 65.

company, but is also strong in a given sector.¹³

In this case, companies have tried to recruit workers from other countries. In the last 20 years we have seen global product chains where a company in a developed economy buys materials and finished products from a developing country under substantially worse working conditions. As

rights advocates have stressed that the buyer company can ask the supplier company to respect core international labour standards, even in contractual terms, companies have created their own codes of conduct.¹⁴

It can be said that companies are seeking to comply with international legal standards through voluntary compliance.¹⁵ Technological developments in

¹³ For nearly forty years we have been hearing that multinationals are more powerful than the state, and therefore the response has come from the supranational level.

¹⁴ At the World Economic Forum meeting in January 1999, Kofi Annan announced the UN Global Impact Principles, four of which related to working conditions, <https://www.unglobalcompact.org/> (accessed 1 November 2018)

The World Economic Forum has also found that new technologies pave the way for economic growth and the reduction of social inequalities as well as for less noble goals (e.g. civil wars, propaganda). The organisation's research has led to the creation of a new measure, DVS (Digital Value to Society), which analyses the impact of digitalisation on health, safety, employment, the environment and consumers. The resulting DVS indicator expresses how a given instance of digital transformation contributes to value creation in the business sector and society. *Unlocking Digital Value To Society: A New Framework For Growth White Paper*, World Economic Forum, 2017. <http://reports.weforum.org/digital-transformation/wp-content/blogs.dir/94/mp/files/pages/files/dti-unlocking-digital-value-to-society-white-paper.pdf> (Accessed 13 October 2018).

It was also in the 1990s that the UN became aware of the growing environmental and social pressures that threaten the planet and humanity. In response to this threat, in 1983 it established the World Commission on Environment and Development, better known as the Brundtland Commission. The Commission worked from 1984 to 1987 to try to find solutions to the world's environmental and social problems. The results of their work were published in a report at the end of their work. The solution to these problems was considered to be sustainable development, defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. *Report of the World Commission on Environment and Development: Our Common Future*: <http://www.un-documents.net/our-common-future.pdf> (Retrieved 18.10.2018)

¹⁵ In my view, CRS and PSR activities are part of this process. According to one of the most widely accepted definitions of CSR, corporate social responsibility (CSR) comprises four interlocking areas of responsibility, namely economic, legal, ethical and philanthropic expectations, which are addressed to companies from the side of society, where society is understood to mean the broad range of stakeholders of a company. This approach can be traced back to the work of Archie B. Carroll and his CSR pyramid metaphor. SZEGEDI, K.- MÉLYPATAKI, G. (2016).

The European Union has also developed its own definition of CSR as a concept whereby companies voluntarily integrate social and environmental considerations into their business operations and use these principles to shape their relations with their wider stakeholders, i.e. anyone affected by their activities or who has an influence on the company's operations. *Green Paper*.

GSR stands for Global/Collective Social Responsibility. One of the blessed effects of globalisation and the development of information technology tools is that different organisations and individuals can find each other more and more easily. This, together with the willingness of individuals and organisations to seek each other out, is making social responsibility global and cross-sectoral.

To address society-wide problems and to exploit the various opportunities that arise, corporate social responsibility (CSR), public social responsibility (PSR), civil and personal social responsibility (ISR) are being combined and globalised to form a multi-faceted partnership.

PSR is linked to the specific field of activity of public sector institutions. The control of the functioning of these institutions, of public responsibility, is on the one hand carried out by the public. This responsibility becomes a public *social* responsibility when the organisation, in addition to its statutory tasks, carries out activities within its remit, or sometimes even beyond it, which contribute to meeting important social needs or even to solving problems. *The GVH's Public Social Responsibility (PSR) Strategy*, May 2016 http://www.gvh.hu/data/cms1036194/GVH_PSR_strategia_2017_04_27.pdf (Retrieved 25.10.2018) Public sector social responsibility has received increasing attention in recent years. This is evidenced by a number of research and projects in this field, including the EU-funded project Governmental Social Responsibility Model: An Innovative

telecommunications over the decades and the emergence of English as the general language of business have made it much easier for European and North American companies to do business with each other. A series of bilateral trade agreements between countries around the world, following the *Uruguay Round*¹⁶, have made it possible for products destined for the European market to be made in Asia, where labour costs are a fraction of those in Europe.

And with the creation of the WTO (*World Trade Organization*), all the obstacles to international trade seemed to have been removed. A key issue in this context has been how individual companies can ensure competitive prices and maximise profits while optimising and reducing labour costs. In this respect, it is possible to apply an appropriate strategy, taking into account the legal framework provided by the Member State concerned.¹⁷ Employers may opt for flexible working arrangements, which will lead to precarious employment.

We have been talking about the information age since the advent of the computer and the invention of the microprocessor in the 1970s. The world of work has moved from the factory to the

office, where the number of employees has been significantly reduced. Information technology has completely transformed the way people work. Instead of many people performing the same repetitive work processes, fewer workers are using computers to produce products. No wonder companies have put the emphasis on the *individual* in this change. After all, to thrive in today's open labour market, you need to have: advanced interpersonal skills, the ability to work in a team, the ability to problem-solve and problem-solve, the ability to learn and innovate continuously, the ability to absorb new technologies (*soft skills*)¹⁸.

All the above qualities contribute to this flexibility. The career mindset of workers is even more relevant in the 21st century than before.¹⁹ Work ethics have also changed. Whereas in the past hard work, honesty and integrity were important, today the changes are pushing workers to become less emotionally attached to their jobs and to seek external motivation, for example in leisure activities. In other words, work is no longer necessarily the defining building block of personality.²⁰ Workers are no longer necessarily substitutes for each other,

Approach of Quality in Governmental Operations and Outcomes, implemented under the South-East European Transnational Cooperation Programme. *Social Value and Responsibility in the Public Sector* - based on presentations at the National University of Public Service Workshop 11.09.2018.

¹⁶ The series of trade negotiations, which lasted seven and a half years and involved a total of 123 countries, is still considered a unique initiative worldwide. See more at https://www.wto.org/english/thewto_e/whatis_e/tif_e/fact5_e.htm (accessed 2 December 2018)

¹⁷ BELLACE, J.R. (2018) 17.

¹⁸ The learning process must be based on a methodology that allows the individual to adapt to the new. This is the basis of learning outcomes-based education today.

¹⁹ MURRAY, B. - HERON, R. (2003): *Placement Of Job-Seekers With Disabilities: Elements of an Effective Service*, International Labour Organisation, 3-4; HOLMES, J. (2007): *Vocational Rehabilitation*, Blackwell Publishing, Oxford. 7-9.

²⁰ MURRAY, B. - HERON, R. (2003) 4. Here I refer to the important role of reflexive labour law regulation in the development of a social policy in which as many people as possible live in well-being according to their abilities, enjoying social rights to the fullest. Alongside *Freedland* and *Countouris*, *Deakin* and *Rogowski* draw on *Sen* and *Nussbaum's* theory of capability, described earlier, and relate this to the labour market. On this, see DEAKIN, S. - ROGOWSKI, R. (2011) 230-238. *Amartya K. Sen* and *Martha Nussbaum's* theory of capability takes a holistic view of capability from a human rights perspective. *Amartya K. Sen* is credited with the capability-based approach to disability. *Sen's* theory focuses on the person's ability to *function*, i.e. whether or not someone can do something. This theory does not refer to the existence of a physical or mental ability, but understands it as a practical

and the *intelligence and individual engagement of the worker* is increasingly important. In this respect, the traditional employer-employee relationship is clearly changing.

In North America and Europe, it was mainly *manual workers who were unionised*. They truly represent the traditional employer-employee relationship based on the Fordist model. In their case, there is no strong free will, they were able to achieve results *together*. However, from the 1970s onwards, a completely different generation has grown up, no longer identifiable with the former working class. We call the millennial generation the digital natives, and they are the ones who have lived with technology since birth. These workers feel part of an online community that is a far cry from the working community of fifty years ago.²¹

Globalisation, climate-neutral policies, the changing nature of work and the increased role of the individual can be said to be simultaneously and mutually reinforcing pushing the boundaries of national labour law. In the 19th and 20th

centuries, the improvement of working conditions was achieved through collective bargaining. The collective consciousness of workers was strong. But the cross-border activities of multinational companies have weakened workers' organisation.²² In the digital economy, it is not easy to get workers to take collective action, as the *playing field is completely different*. And the playing field is further shaped by the rules of climate-neutral politics.²³

The action plan in the climate-neutral policy builds heavily on social dialogue, but this has been weakened by the new forms of employment before and during the Covid-19 epidemic. There is much talk of the dematerialisation of the workplace, leading to a complete weakening of collective labour institutions and thus of industrial relations. That is why I believe it is important to maintain and rethink industrial relations, because a fair transition cannot be achieved without this.

opportunity. Function is the actual performance of the individual, what the individual actually achieves through his or her existence and actions. What is practical opportunity? For *Sen*, it means ability. In the same way, he does not use the traditional notion of action, for him it also means desires other than action, such as eating properly. To illustrate this, he gives the example of two starving people. One does not eat out of religious conviction, the other because he has nothing to eat. This is the difference between action and practical possibility.²⁰ That is, *Sen* looks at the interests that drive the person rather than the actions. He distinguishes between two ways in which one should interpret one's interests and performance: the way of well-being and the way of advantage. That is, well-being refers to the actions that an individual takes for his or her well-being; advantage refers to the actual opportunities that are available to a person, enabling him or her to exercise the right to choose. The set of a person's capabilities is in fact a set of courses of action on the basis of which the person exercises the freedom of choice. The set of capabilities is influenced by the goods available, the environment around the individual and personal characteristics, all of which lead to actions. *Sen* does not specify a method for measuring the ability set, for the reason that the problem and the circumstances make the individual's attributes, ability and actions constantly changing. MITRA, S. (2006): Capability Approach and Disability, *Journal of Disability Policy Studies*, 4, 236; FREEDLAND, M. - COUNTOURIS, N. (2011b): *The Legal Construction of Personal Work Relations*, Oxford University Press, Oxford, 378-379.

²¹ BELLACE, J. R. (2018) 19-20.

²² In this period in Hungary and in the other former socialist countries, we are faced with an unfavourable situation in which workers with a modest collective consciousness were even more vulnerable after the change of regime. It is noticeable that the disadvantage of nearly forty years after the Second World War is still difficult to compensate for today. Meanwhile, we can see the changes in the Labour Code of 1992 and 2012, and the clear emergence of a more civil rights approach. See later.

²³ As Bellice puts it, "the platform and algorithms work automatically." BELLACE, J. R. (2018) 20-21.

3. Social dialogue in practice

The European Parliament welcomes the launch of the Decent Transition Fund; stresses that broad social acceptance of environmental and climate policy measures is essential for their effective implementation; urges Member States to effectively involve social partners, regional and local authorities and civil society in the development of territorial plans for a fair transition.²⁴

The Coal Region Committee was established on 11 March 2021 as the first permanent consultative forum on coal transition in Hungary. Its mission is to support the decarbonisation of the Mátra Power Plant and lignite-based electricity

generation and the sustainable and equitable transition of the North Hungary region, involving all relevant organisations.

The Committee is chaired by: the Deputy State Secretary for Energy Policy of the Ministry of Innovation and Technology; the Deputy State Secretary for Climate Policy of the Ministry of Innovation and Technology as the consortium leader of the LIFE-IP North-HU-Trans project; the Deputy State Secretary for Legal Affairs, Coordination and Utilities of the Minister without Portfolio in charge of National Asset Management; the Secretary General of the Heves County Chamber of Commerce and Industry; MVM Mátra Energia Zrt. President of the Central Works Council.²⁵

²⁴ Recalls that climate change and subsequent structural changes are already having a severe impact on many European regions and their populations; stresses that the creation of green and decent jobs is key to creating an inclusive and balanced labour market in a fair and equitable transition to a resource- and energy-efficient, circular and carbon-neutral economy based on renewable energy sources and to ensure that no one is left behind; Insists that the amount proposed in the Commission's amended proposal for the Decent Transition Fund in May 2020 be increased; calls for the Fund to have sufficient financial means to support regions in transition, to ensure that new, quality jobs are created and that social cohesion is the guiding principle for the support provided by the Fund; Emphasises that the revised European Globalisation Adjustment Fund is key to supporting social plans for workers affected by restructuring and calls on the Commission and the Member States to agree on a significant increase in the budget available to the instrument as part of the broader financial support for a fair transition in Europe; Calls for a sustainable and ambitious use of the available resources to support the most vulnerable and lagging regions, with transitional measures where necessary; recalls that eligible projects must be consistent with the 2050 climate neutrality objective, its intermediate steps to be completed by 2030 and the European Pillar of Social Rights. European Parliament resolution of 17 December 2020 on a strong social Europe for a just transition (2020/2084(INI)) 11.

²⁵ Project partner organisations: the Deputy State Secretaries of the Ministry of Energy and Climate Policy, as founders; the Rector and the project advisor of the EKE, as founders; the Deputy Chief Technical Officer and the Deputy Chief Economic Officer of MVM Energetika Zrt. President of the Hungarian Energy and Public Utility Regulatory Office; President of the Maltese Charity Service; President of the Hungarian Mining and Geological Service; President of the Trade Union of Mine Energy and Industrial Workers; President of the Trade Union of Mine Energy and Industrial Workers of Mátra Power Plant; President of the United Electricity Workers' Trade Union Federation, President of the Electricity Trade Union of the Mátra Power Plant, Secretary General of the Heves County Chamber of Commerce and Industry; Secretary General of the Borsod-Abaúj-Zemplén County Chamber of Commerce and Industry; Government Commissioner of the Heves County Government Office; Government Commissioner of the Borsod-Abaúj-Zemplén County Government Office; Mayor of the Municipality of Abasár; Mayor of the Municipality of Markaz; Mayor of the Municipality of Bükkábrány. Non project partner organisations: President of the General Assembly of the Heves County Municipality of Borsod-Abaúj-Zemplén County; Member of the Parliament of the Constituency No. 2 of Heves County; Member of the Parliament of the Constituency No. 3 of Heves County; Member of the Parliament of the Constituency No. 7 of Borsod-Abaúj-Zemplén County.

Representatives of the local governments within the jurisdiction of the Mátra Power Plant: Visonta, Halmajugra, Detk, Ludas, Karácsond, Vatta, Mezőnyárád, Pálosvörösmart, Csincse, Aldebró, Managing directors of the local enterprises most affected by the coal transitions: the Mátra Power Plant Central Maintenance Ltd, Managing Directors of some of the companies operating in the Mátra Industrial Park: BAUMIT Kft, ERGO Med

Employees are therefore involved in this dialogue through the Works Council, and employers are represented by the Chamber of Industry and Commerce. The government is strongly represented in this Committee. Although the system of national interest conciliation was completely overhauled in Hungary in 2012, it is clear that this newly established Commission, whose functioning is still poorly understood, is another form of social dialogue in which the stakeholders (project and non-project) are also involved in significant numbers.

The policy of "nothing about us, without us" is therefore applied to these territorial conversion plans. The functioning of this Commission, the change and possible revival of the role of the social project in Hungary can be expected from the Hungarian implementation of the climate neutral policy. However, this will only become clear in the coming years.

The most important aspect of the transition must be the continued guarantee of social security. Security here means a kind of stability, an unshakeable foundation, i.e. the standard that a citizen of a given state can count on from the state in the event of a crisis in his or her life.²⁶ In Hungary, this fundamental social right is also reflected in the Fundamental Law, in Article XIX, which

states that "Hungary shall endeavour to provide social security for all its citizens in certain life situations."

Supportive strategies are used by trade unions promoting policies to mitigate disadvantages, *fair transition* and a proactive approach to decarbonisation. One concrete example of such an approach is the Just Energy Transition Statement signed in 2017 by the European social dialogue actors in the energy sector: employers, Eurelectric, and EPSU and IndustriAll Europe²⁷ on behalf of trade unions. While the joint statement calls for public investment in the transition, it does not address the responsibility of employers in financing the transition and does not set out specific activities or measures. Furthermore, as it is not legally binding, there is a possibility that the agreement will not deliver in practice. However, it does set an example of trade union commitment to support decarbonisation of economic activities and proactive engagement, with all its employment implications.

4. Concluding thoughts

The dilemma of work versus environment is therefore a major challenge for trade unions, as decarbonisation policies

Kft, GEOSOL Kft, HŐÉPKER Kft, HŐTECHNIKA ÉSZAK Kft, KOMPLEX Kft, Partner Kft, Prompt 94 Kft, Saint-Gobain Hungary Kft.,

Director of the Bükk National Park Directorate (BNPI); Local green NGOs: Representative of the Életfa Environmental Protection Association; Kaptárkő Association; Green for Green Association; President of the Gyöngyös-Mátra Tourism Association; Chief Medical Director of the Mátra Medical Institute; Rector of the University of Miskolc (ME); Rector of Szent István University (SZIE), Miskolc Regional Committee of the Hungarian Academy of Sciences; National Institute of Environmental Health;

ELTE Sustainable Energy Design Research Group; Director General of the Heves County Vocational Training Centre; Directors General of the Vocational Training Centres of Miskolc, Ózd and Szerencs in Borsod-Abaúj-Zemplén County; President of MANAP Industrial Association; Director of the Directorate of Environmental Sustainability of the Office of the President of the Republic; MAVIR Zrt. Deputy Chief Executive Officer for System Management; Head of Department of the Green Programme of the National Bank of Hungary; Director General of the National Investment Promotion Agency (HIPA)

²⁶ MÉLYPATAKI, Gábor - The impact of new forms of employment and social innovation on social security, *Hungarian Labour Law E-journal*, 2019/1, p. 1.

²⁷ Just Energy Transition Statement - EPSU, IndustriAll Europe, Eurelectric (2017) <https://www.eurelectric.org/media/2185/statement-energy-just-transition.pdf> (last accessed 29.10.2020)

lead to job losses in many sectors. No matter how they react, the unions will face criticism from the workers concerned. If unions and works councils support ambitious climate change mitigation policies, workers may turn away because of the potential loss of jobs. Companies could blame them, as emission reduction policies could lead to reduced profits. Conversely, if trade unions focus on preserving jobs - possibly at the expense of the environment - this could attract criticism from society as a whole.

So the problem is well known: the transition to sustainability is not a matter of choice, it is a matter of urgency, as climate change has become part of our daily lives, a vicious circle that we have not yet managed to break.

The *fundamental value of labour law* is that it *provides economic security* and thus *predictability*: both internally, by providing rules to protect workers, and externally, by the state, by providing a social safety net in case workers are unable to work in a situation of disruption. Another very

important value is a healthy and safe working environment.

In 1998, the ILO set out the fundamental rights²⁸ that all states must respect: (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced and compulsory labour; (c) the effective abolition of child labour; and (d) the elimination of discrimination in respect of employment and occupation. *These rights should be fundamental rules of the game, regardless of the playing field.*²⁹ Security is therefore the preservation of core values within labour law.³⁰ Workers' organisation, advocacy, information, information and consultation have a major role to play in the transition. A transition to a climate-neutral policy is therefore inconceivable without a stronger partnership.

This is why a fair transition is also likely to involve a stronger representation of labour's interests, as only then can it be successful.

²⁸ ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, Adopted by the International Labour Conference at its Eighty-sixth Session, Geneva, 18 June 1998 (Annex revised 15 June 2010)

"... *The International Labour Conference ... (2.) Declares that all Member States, even if they have not ratified the Conventions in question, are bound by their membership of the Organization, in good faith and in conformity with the Constitution, to respect, promote and fulfil the fundamental rights to which these Conventions refer. These principles are: (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the abolition of forced and compulsory labour in all its forms; (c) the effective abolition of child labour; and (d) the elimination of discrimination in respect of employment and occupation. ...*"

²⁹ Mangan also refers to what Bellice pointed out in the case of algorithms. Namely, that algorithms can lead to inequalities, i.e. discrimination. MANGAN, D. (2018) 72.

³⁰ *I do not analyse Freedland and Countouris's theory of personal work relations in this research, as I do not consider the concept feasible. However, there are several elements in the concept that deserve to be highlighted. One of these is about values in work. It is pointed out that, rightly, the normative basis of labour law is the balancing of the positions of parties in unequal situations. Human dignity is a first-generation right with which we are all familiar and which is enshrined in many international documents. Freedland and Countouris complement this thinking on dignity with the concept of autonomy and equality. Autonomy means that a person makes decisions about his or her own life (work life) autonomously, without any constraints. This is complemented by equality, which, like human dignity, is also one of the oldest first-generation human rights. However, equality is thought of in terms of Amaryta Sen's concept of equality, which is equality based on ability, which is considered the most appropriate for labour and social law. Dignity is closely linked to the person of the worker, based on personal work.* FREEDLAND, M. - COUNTOURIS, N. (2011b) 372-376.

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