

Collective Bargaining in Spain during the Covid-19 pandemic. Evidence from CBAs database

Country Report

June 2023

BARCOVID

The BARCOVID project aims to improve knowledge about the content of collective agreements in Europe and to undertake research activities to enhance the collection of comparative information on collective bargaining outcomes. The project takes in account the Covid-19 impact on industrial relations in Europe, which is approached from different angles, such as government measures and occupational health and safety. Lead partner is the University of Amsterdam/AIAS. The Central European Labour Studies Institute (CELSI), Sant'Anna School of Advanced Studies and WageIndicator Foundation are the project's key actors.

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AIAS-HSI is an institute for multidisciplinary research and teaching at the University of Amsterdam (UvA), the largest university in the Netherlands. AIAS-HSI has as its objective the coordination, implementation and stimulation of interdisciplinary research into the practice of labour law and social security law. Therefore, it combines insights from the social sciences, legal dogmas and legal theories in its research.

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Bibliographical information

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Introduction

This report presents the main results of the comparative analysis of Spanish collective agreements, looking at pair of official documents signed before and after the explosion of the Covid-19 pandemic. The main research question behind this study is understanding how and to which extent the pandemic has affected the content of bargaining, through the introduction of new topics, the strengthening or rather the weakening of some provisions. To develop such challenging type of analysis, it was possible to rely on extremely rich data, both qualitative and quantitative, that result to be easily comparable across countries and sectors despite the original source (the CBA) is country specific. Information from collective agreements is systematized and converted into comparable data through a complex process of annotation, based on a coding scheme that contains more than 800 variables spanning from job contract to wages and gender equality issues. Each CBA is annotated by professionals, usually native speaker of the country under analysis.¹

Database on Spanish CBAs

Spanish national collective agreements have been downloaded from the official website of the Agencia Estatal, Boletín Oficial del Estado (State Agency, Official State Gazette).² National, regional, public, private, sectoral and company level agreements have been taken into consideration

¹ For more detailed information on the coding scheme, you can consult the WageIndicator Collective Agreements Database Codebook (Cecon and Medas, 2022).

² <https://boe.es/buscar/boe.php>

for the collection to cover the widest spectrum of collective agreements typologies and levels of bargaining. Thanks to the availability of this source, it has been possible to perform the comparative analysis of 55 agreements signed before the pandemic and renewed after the explosion of the pandemic.³

Before entering the details of the comparative analysis, let us briefly describe the corpus of Spanish CBAs. As shown in **Table 1** and **Figure 1**, the most represented sector is Manufacturing, followed by Financial services, banking, insurance; Publishing, printing, media; Transport, Logistics, Communication and Retail trade. The least represented sectors are Construction and technical consultancy; Real estate, renting, call centres; Public administration, police, interest and Security, cleaning, homework. Moreover, 51 agreements out of 55 belong to the private sector, while only 4 cover public and semi-public companies (**Table 2**). For what concerns the type of signatories, the Spanish database is quite mixed, as 33 CBAs were signed before the Covid by single companies and 22 by multiple employers. A slight change in this number is observed after their renewal, as shown in **Figure 2** and **Table 3**.

Table 1 Spanish CBAs by sector

Sector of the CBA	Number of CBAs
Agriculture, forestry, fishing	2
Manufacturing	14
Waste treatment, sanitation, supply of water	2
Construction, technical consultancy	1
Wholesale	2
Retail trade	4
Hospitality, catering, tourism	2
Transport, logistics, communication	4
Financial services, banking, insurance	8
Real estate, renting, call centres	1
Public administration, police, interest	1
Education, research	2
Security, cleaning, homework	1
Publishing, printing, media	5
ICT services	2
Entertainment, culture, sports	2
Other	2

³ More Spanish collective agreements were collected and analysed by Wage Indicator, but the comparative analysis has been performed on 55 pair of agreements.

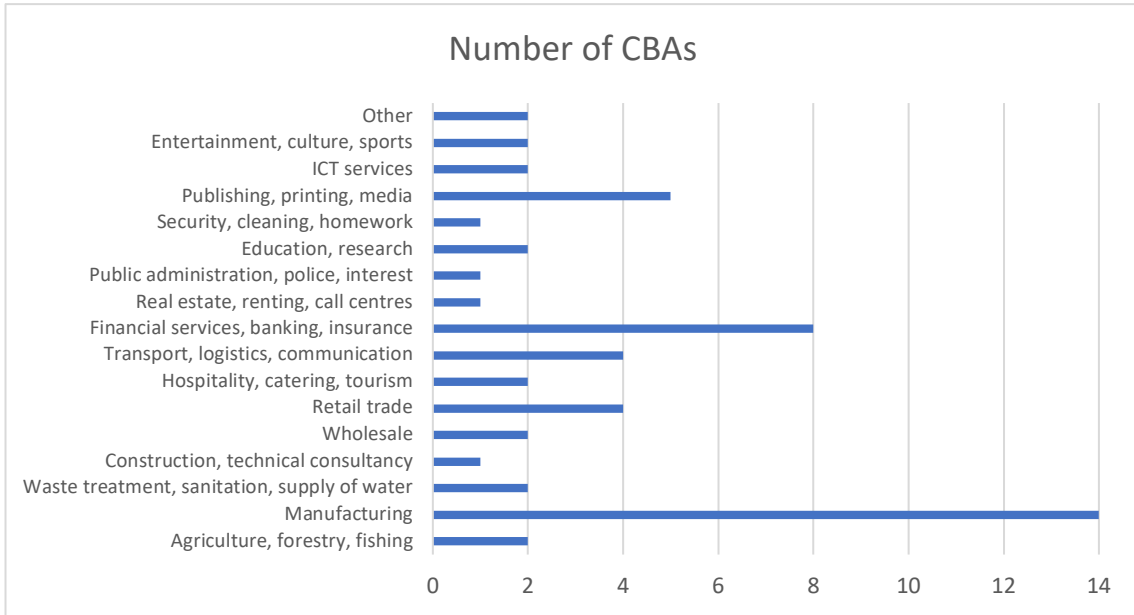


Figure 1 Spanish CBAs by sector

Table 2 Spanish CBAs by type of organization

Type of organization	Number of CBAs
Private	51
Public	2
Semi-public	2

Table 3 Spanish CBAs by type of signatories (Pre/Post Covid comparison)

Type of signatories	Pre-covid		Post-covid	
	Yes	No	Yes	No
Single employer/company	33	22	36	19

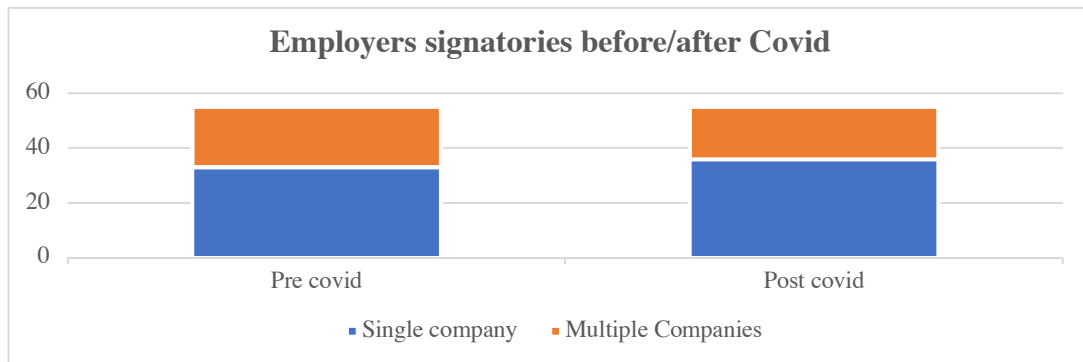


Figure 2 Spanish CBAs by type of signatories (Pre/Post Covid comparison)

The impact of the Covid19 pandemic on clauses

In the following section, we will illustrate the observed changes in the number of clauses included in Spanish collective agreements, comparing pre and post Covid agreements. Consistently with the structure defined by the Wage Indicator codebook, we mainly distinguish ten main domains of interest: 1) Job titles; 2) Training; 3) Social security and pensions; 4) Employment contracts; 5) Sickness and disability; 6) Health and medical assistance; 7) Work/family balance arrangements; 8) Gender equality issues; 9) Working hours and 10) Wages. Notice, however, that the descriptive analysis presented in this report strongly depends on the type of data made available once the process of CBAs annotation was completed by the coders. Some inaccuracies might be due to the different understanding and interpretations of the texts provided by the coders.

Job title, training and apprenticeships

As shown in **Table 4**, almost all agreements include clauses on job description or refer to a specific classification system. While most agreements contain clauses on training programs devoted to workers, only half of them contain provisions on specific training funds. Clauses on apprenticeship are present in around half of the CBAs under analysis. For what concerns changes observed after the renewal of the agreements during the pandemic, as illustrated in **Figure 2**, we can observe a slight increase in the number of agreements containing clauses on apprenticeship accompanied by a decrease in the number of agreements containing clauses on training funds.

Table 4 Clauses on job titles, training and apprenticeship contract (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Job description/job classification	52	3	52	3
Training programs	48	7	48	7
Apprenticeships	24	31	26	29
Training Fund	22	33	18	37

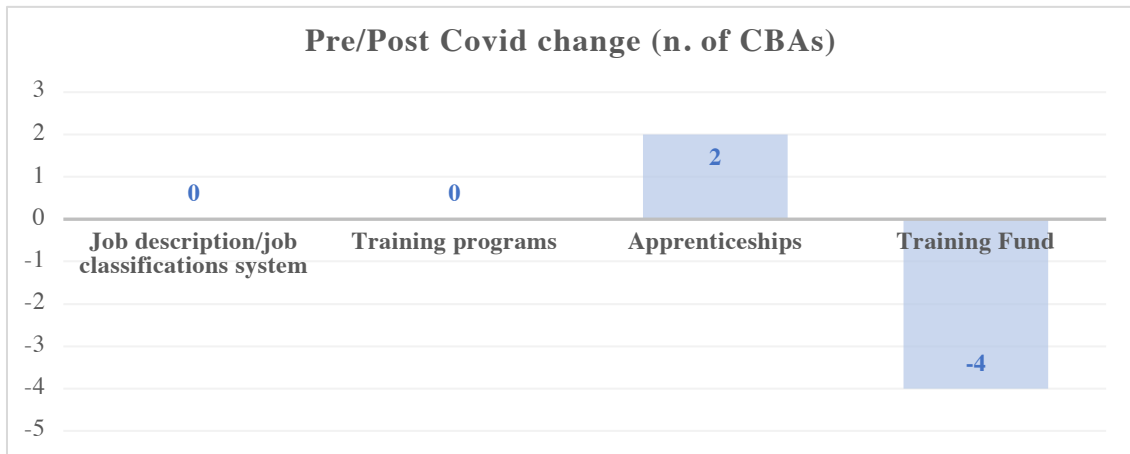


Figure 3 Pre/Post Covid change in the inclusion of clauses related to job title, training and apprenticeship (n. of CBAs)

Social security and employment contract

Clauses on employment contract and definition of the trial period are highly diffused in the Spanish CBAs under analysis, while social security clauses are less frequent. As shown in **Table 5**, around the 50% of the CBAs show provisions related to pension and disability funds with the former increasing after the Covid and the latter decreasing. Moreover, only 16 out of 55 CBAs contain specific provisions on temporary job contracts, despite their number increased after the Covid (+4), as illustrated in **Figure 4**. Free legal assistance for workers is regulated in only one CBA before the Covid, increasing only by one after the pandemic.

Table 5 Clauses on social security and employment contract (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Pension fund for employees	22	33	20	35
Disability fund for employees	26	29	28	27
Unemployment fund for employees	0	55	0	55
Employment contract	50	5	50	5
Trial period	43	12	42	13
Free legal assistance	1	54	2	53
Specific provision on temporary workers	16	39	20	35

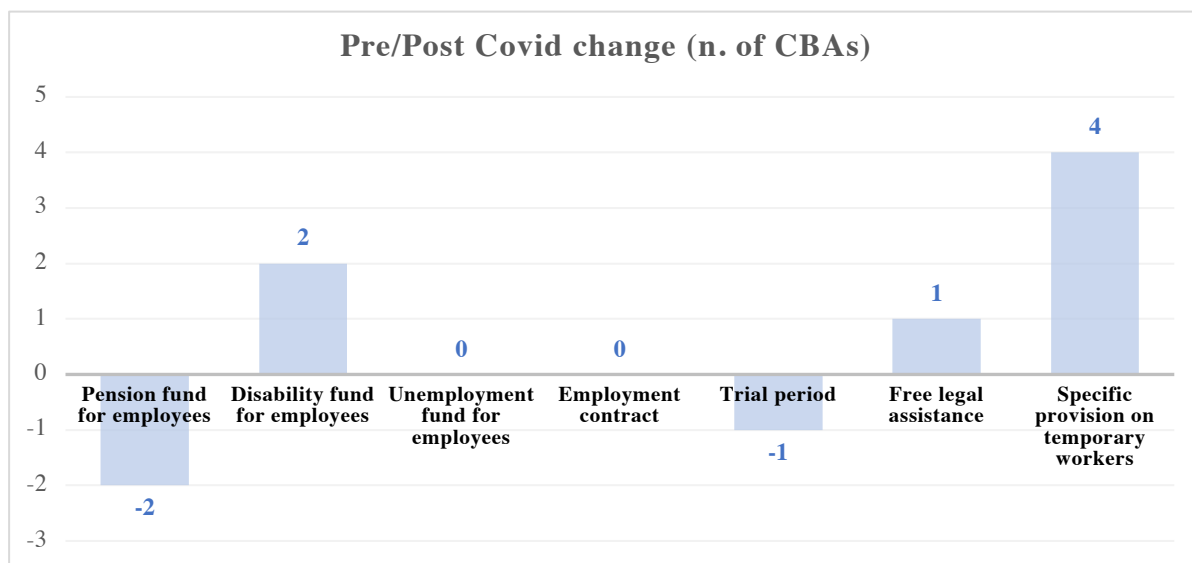


Figure 4 Pre/Post Covid change in the inclusion of clauses related to social security and employment contract (n. of CBAs)

Sickness and disability, health and medical assistance

Almost all agreements have clauses on sickness leave, around 70% of the agreements analysed have clauses on work accident and health and safety workplace policy, as shown in **Table 6**. Clauses on return to work after serious illness are less frequent, as well as clauses on subsidized medical assistance for sick employees. Looking at the changes in the content of renewed agreements presented in **Figure 5**, we observe contrasting patterns as some clauses concerning sickness leave and serious illness leave decreased, while CBAs including provisions on health and safety training, free and subsidized medical assistance increased.

Table 6 Clauses on sickness, disability, health and medical assistance (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Sickness leave	52	3	50	5
Return to work after serious illness	6	49	4	51
Pay in case of disability because of work accident	40	15	40	15
Free or subsidized medical assistance for sick employees	26	29	29	28
Health insurance	26	29	27	28
Health and safety workplace policy	38	17	40	15
Health and safety training	20	35	22	33

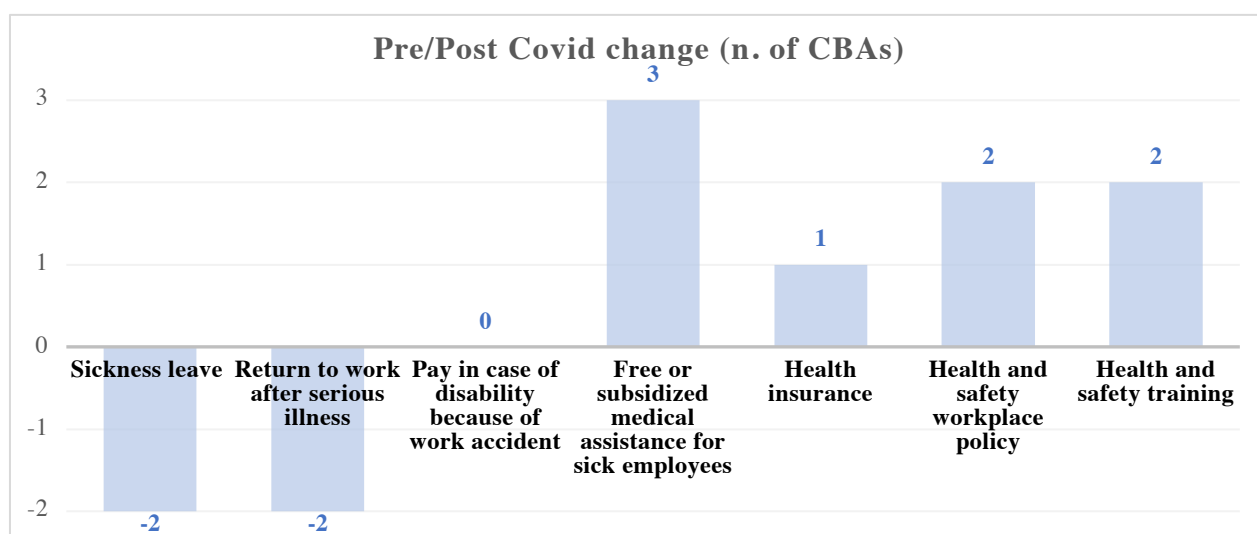


Figure 5 Pre/Post Covid change in the inclusion of clauses related to sickness, health and medical assistance (n. of CBAs)

Work/family balance arrangements

Moving to clauses on parental leave, we observe that specific provisions on these issues are present in a vast number of CBAs. Paid leave to take care for relatives and paid leave in case of marriage or death of relatives are contained in at least the 60% of CBAs analysed, despite we can observe some differences in their frequency. A specific provision on job security after maternity is included in 11 CBAs out of 55 (Table 7). Concerning post-Covid renewal, as illustrated in Figure 7, we observe a decreasing presence of all the clauses cited above, apart for paid leave for marriage (+ 7 CBAs with respect to pre-Covid data).

Table 7 Clauses on work/family balance arrangements (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Paid leave to care for dependent relatives	39	16	43	12
Paid leave in case of death of relatives	48	7	46	9
Paid leave in case of the worker's marriage	38	17	45	10
Time-off breastfeeding	36	19	35	20
Job security for women after maternity	11	44	10	45

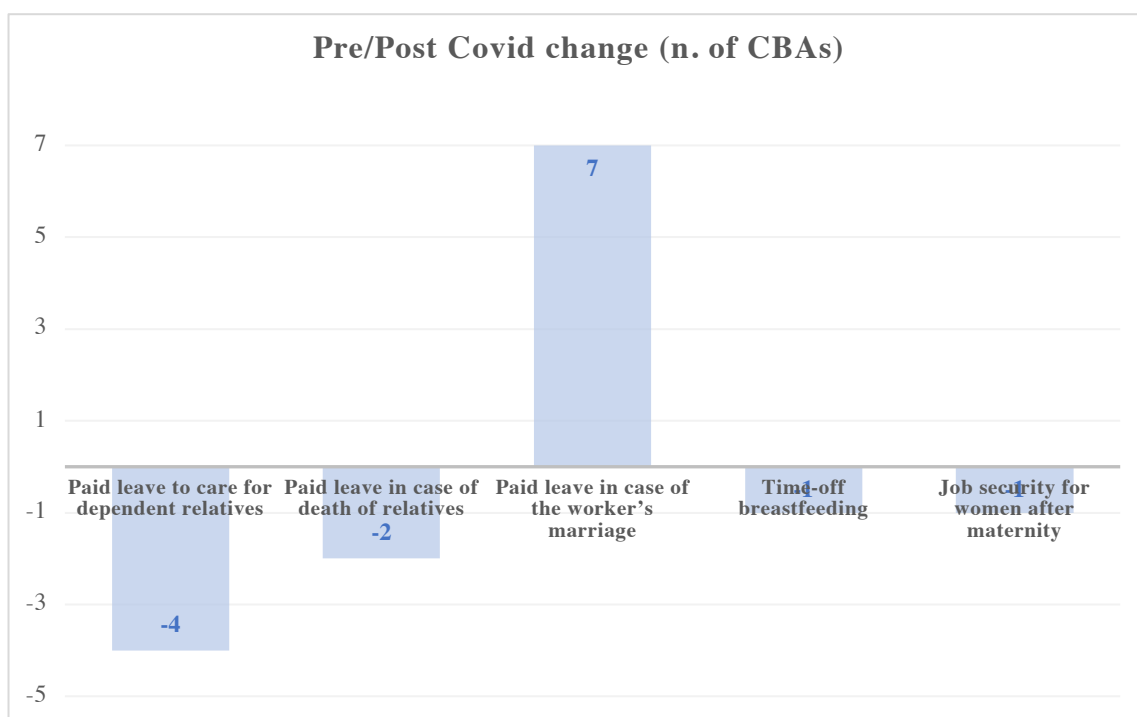


Figure 6 Pre/Post Covid change in the inclusion of clauses related to work/family balance requirements (n. of CBAs)

Gender equality

A very significant number of Spanish CBAs presents clauses on discrimination at work (45 out of 55) and clauses addressing sexual harassment at work (41 out of 55). Less frequent, but still highly relevant in terms of frequency are clauses on equal opportunities for promotion of women together with monitoring processes on gender equality. For what concerns the protection of women that are victims of domestic violence and gender equal opportunities of training, we find a lower number of CBAs. Looking at post-Covid data, we observe a certain increase for what concerns all the clauses related to gender equality, suggesting a growing attention of social actors towards these issues.

Table 8 Clauses on gender equality (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Addressing discrimination at work	45	7	48	7
Equal opportunities for promotion of women workers	23	32	27	28
Equal opportunities for training of women workers	14	41	17	38
Addressing sexual harassment at work	41	14	41	14
Special leave for workers subjected to domestic violence	12	43	18	37
Monitoring gender equality	27	28	30	25

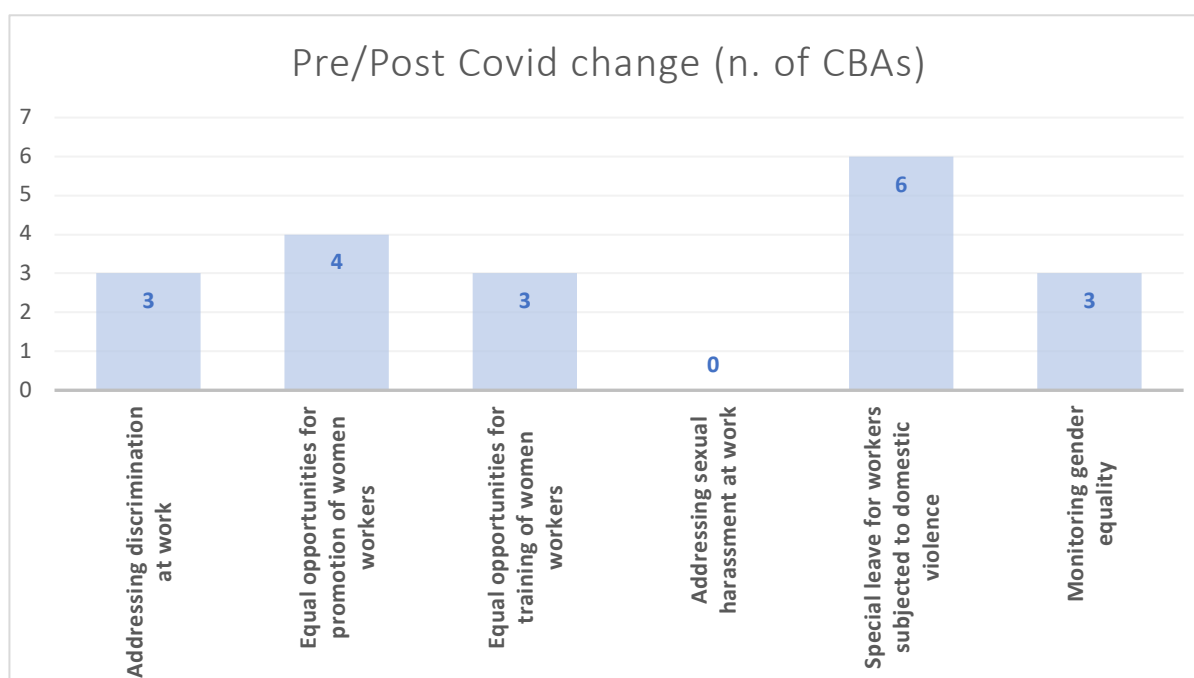


Figure 7 Pre/Post Covid change in the inclusion of clauses related to gender equality (n. of CBAs)

Working hours

As observed in other countries, also in the case of Spain, clauses on working hours are normally included in CBAs (**Table 9**), as they regulate working hours, paid annual leaves, rest periods and so on. Less frequent, but still highly recurrent are clauses on paid leave for trade union activities. Flexible work arrangements, that include for instance remote working and conversion from full time to part-time, are present in 67% of CBAs. However, only in 9% of the pre-Covid CBAs (corresponding to 5 out of 55 CBAs) we find specific clauses on remote working. As expected, in the set of CBAs renewed during the pandemic, we observe an increase in the number of agreements with clauses on remote working (that move from 5 to 10) and more generally flexible work arrangements, despite in this case the change is not huge, as shown in **Figure 9**.

Table 9 Clauses on working hours (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Working hours (per week, month or year)	55	0	54	1
Paid annual leave	52	3	52	3
Rest period	46	9	52	3
Paid leave for trade union activities	36	19	37	18
Flexible work arrangements	37	18	39	16
Remote work	5	50	10	45

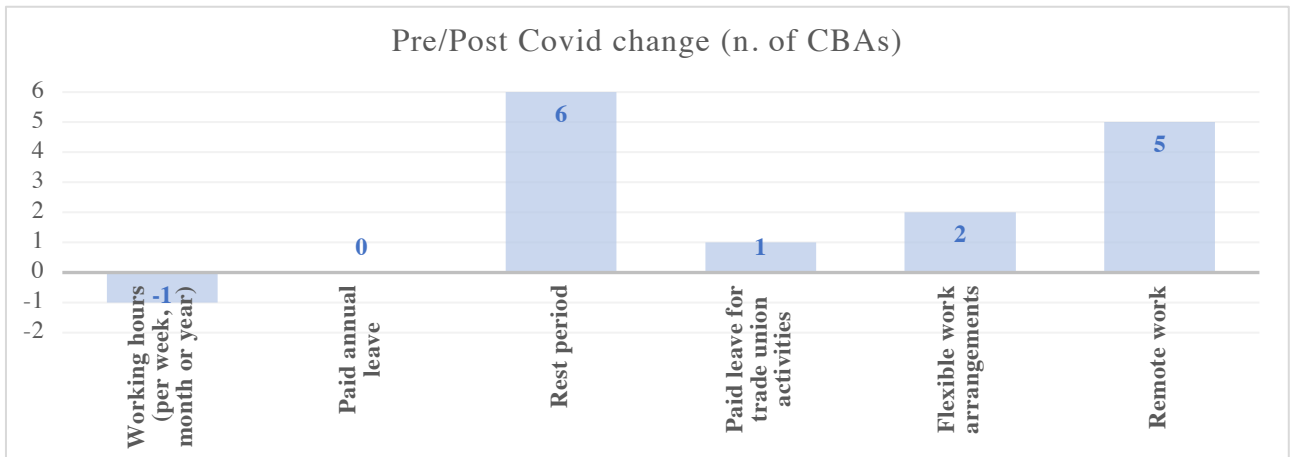


Figure 8 Pre/Post Covid change in the inclusion of clauses related to working hours (n. of CBAs)

Wages

All CBAs have clauses on wages, while around the 70% of agreements has clauses on structural wage increase and once only extra payment. Clauses on overtime work allowances and seniority allowances are relatively less frequent in the Spanish dataset (**Table 10**). Concerning the change observed during the pandemic, we observe an increase in all wage related clauses, apart from overtime time allowances, as illustrated in **Figure 10**.

Table 10 Clause on wages (Pre/Post Covid comparison)

Clause	Pre-covid		Post-covid	
	Yes	No/n.a.	Yes	No/n.a.
Wages	55	0	55	0
Structural wage increase	43	12	45	10
Once only extra payment	45	10	46	9
Seniority allowance	27	28	28	27
Overtime work allowance	38	17	38	17

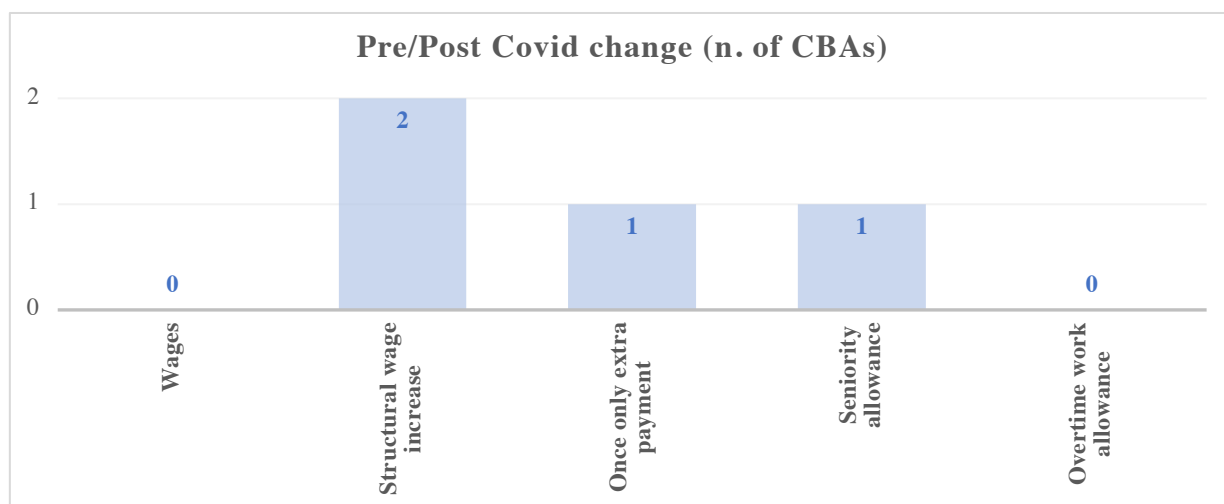


Figure 9 Pre/Post Covid change in the inclusion of clauses related to wages (n. of CBAs)

Clauses on Covid

Only four agreements, belonging to different sectors (Manufacturing, Waste treatment, Retail trade and Financial services) make explicit reference to Covid. They all make a rather broad and general reference to the pandemic. In one CBA it is specified that the worker will be covered by sickness paid leave in case he/she is affected by Covid, in another agreement the adoption of remote work is cited with respect to the pandemic. In the third CBA, workers are entitled to paid leave to take care of children affected by Covid, while in the last agreement a general reference is made to the health emergency.

Table 11 Clauses on the Covid-19 pandemic

Clause	Number of CBAS
Specific clause on covid	4
Exercise of trade unions rights during the pandemic	0

Conclusions

Drawing general conclusions starting from the evidence collected in this report would be risky since the database of Spanish CBAs, despite including 55 agreements, does not ensure an adequate representativeness of the overall Spanish system of collective bargaining. However, the findings presented above might be interpreted as a broad overview of some of the on-going trends in Spanish collective agreements after the explosion of the pandemic. Furthermore, it is worth to consider the higher incidence of gender equality related clauses in recent years, showing how this topic is gaining stronger political relevance in the realm of industrial relations.

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