CRL CENTRO DE RELAÇÕES LABORAIS

COLLECTIVE BARGAINING: 2020 ANNUAL REPORT

Executive Summary

1. The Report on collective bargaining in 2020 forms part of an annual series that began in 2016 and is designed to fulfil the responsibilities entrusted to the Centre for Labour Relations (CRL) in Article 3(1)(d) of Executive Law no. 189/2012 of 22 August 2012 (the Organic Law governing the CRL).

2. The structure of the present Report is similar to that adopted in previous years, with the same analytical object and perspectives, ensuring the consistency of the sources used and stabilising the period covered by the description of how collective bargaining has evolved in Portugal (Chapter 1).

3. The section on the general background (Chapter 2) sets out the fundamental aspects of the economic (2.1.) and normative (2.2.) contexts that form the backcloth to collective bargaining in this country. It summarises the major macroeconomic variables and the normative changes with the ability to affect that bargaining. In 2020, we would especially point to the impact of the COVID-19 pandemic, whose consequences go beyond the health dimension, affecting the social, economic, and labour-market dimensions as well. In a sense, this is the context that allows us to understand collective bargaining in 2020, within the scope of two fundamental Portuguese laws: the Labour Code (CT), and the General Law governing Work in the Public Service (LTFP).

4. From a general and predominantly quantitative perspective, Chapter 3 describes the main lines along which the collective agreement system developed in 2020. The

system is analysed within the context of the evolution that has taken place since 2005, and we highlight some of the most important dimensions of collective bargaining in Portugal (which are the same as those focused on in earlier Reports).

In quantitative terms, 2020 (3.1.1.) saw a YoY decrease in the number of Collective Labour Regulation Instruments (IRCTs) – a reversal of the upward trend that had existed since 2013. This fall affected both collective agreements and Administrative Extension Orders (PEs). The exception was the number of Accession Agreements (AAs), which not only grew in relation to 2019, but was the highest in the series. Looking at 2005-2020, what stands out in a breakdown of the various agreements by type – Group-level Agreements (ACs), Firm-level Agreements (AEs), and Collective Agreements (CC) (3.1.1, III, Graph 7) – is the relative weight of firm-level bargaining since 2017. AEs represented 57% of all agreements published in 2020.

5. However, although there were fewer CCs (61) than AEs (97) in 2020, in total the former continued to (potentially) cover more workers than the latter. In overall terms, there was reduction in the number of workers covered by agreements published during the year, representing a reversal in the upward trend that had been observed since 2015 (4.1.).

6. Turning to wages (3.1.2.I), in 2020 the average length of time for which previous pay tables remained in effect before they were replaced was 22.5 months. This interval was greater than that for 2019 (16.3 months), but the same as that for 2018. One factor in this increase was certainly the 20 agreements that were revised in 2020 and were concluded for periods of more than 48 months. However, the annualised variation in nominal wages from one table to the next continued to be positive for the fifth successive year, while the real variation in wages was 2.3% – the second highest since 2005. On the other hand, the minimum wage stipulated in collective agreements followed the pattern set in previous years, remaining close to the minimum monthly wage approved by law in 2020 (635 €/month) in almost every sector (3.1.2.II).

7. 2020 also saw the publication of a revised Ministerial Order governing Labour Conditions ("*Portaria de Condições de Trabalho*", PCT) for administrative workers who

are not covered by specific collective regulations. This revision of the 2019 PCT covered the applicable wage table and meal allowance (3.1.4).

8. Where the expiry or termination of collective agreements were concerned (3.1.5.), no agreements revoking previous ones were published in 2020. Six notices of the expiry of an agreement were published in 2020, compared to two in 2019.

9. There was less activity in terms of the extrajudicial resolution of conflicts, with a reduction in the number of requests for both conciliation (34 in 2020, 42 in 2019) and mediation (3 in 2020, 7 in 2019). The number of conciliation processes that ended in agreement (15) exceeded that of those that came to an end without one (12). No arbitration decisions were published in 2020, mirroring the situation in the majority of the years between 2005 and 2020 (3.2.2).

10. For the first time, the Report devotes a chapter specifically to the analysis of the national data – including the Mainland and both the Azores and Madeira Autonomous Regions – on collective bargaining in 2005-2020 (3.4). In 2020, a total of 347 IRCTs were published in Portuguese territory – a reduction in relation to 2019 (518).

11. Chapter 4 analyses the data for the collective agreements that were published in mainland Portugal only, in 2020. It begins by giving an overall picture of the data on published collective agreements (4.1) and on the widening of their scope of application (4.2), before particularly looking at the collective bargaining in the Public Business Sector (4.3). As usual, it then analyses a vast range of topics that are regulated in collective agreements (4.4.). This more in-depth look at these topics is structured in the same way as in previous Reports, albeit the analysis covers two new subjects: fixed-term employment contracts, and trial periods.

12. Among the general data on collective bargaining in 2020 (4.1.), we would highlight the following (Mainland data):

    - 169 agreements were published (30% less than in 2019). Compared to the previous year, particular note should be made of the fall in the number of first agreements (down 56.5% on 2019), followed by that in partial revisions (29.2% fewer than in

2019), albeit the relative weight of the latter in the year as a whole was unchanged (67.5% in 2020, 67.1% in 2019). On the other hand, there was a slight rise in the number of overall revisions (+6%), which represented around 20% of the total for the year.

- Taken altogether, 258 IRCTs were published in 2020, with a reduction in the number of both negotiated and non-negotiated instruments (a total of 352 IRCTs were published in 2019).
- Parallel agreements represented 36% of the 169 agreements published in 2020, compared to 32% of 240 in 2019.
- Three sectors of activity continue to predominate in the sectoral breakdown: "Transporting and storage" (H) (55 agreements), "Manufacturing" (C) (45 agreements), and "Wholesale and retail trade; repair of motor vehicles and motorcycles" (G), (20 agreements). Between them, they represent 71% of all agreements. Of the three, only "Transporting and storage" grew in relation to 2019.
- From the point of view of coverage, the configuration of these three sectors [(C), (H) and (G)] differed from the trend observed in previous years. "Wholesale and retail trade; repair of motor vehicles and motorcycles" (G) fell, but the number of workers encompassed by collective bargaining in "Transporting and storage" (H) rose. The relative weight of "Manufacturing" (C) was similar to that in 2019 (Table 22).
- The average number of workers (potentially) covered tended to be lower in 2020 than in 2019, both by agreement and by type of agreement.

13. The 49 Extension Orders (PEs) that were published in 2020 were all issued within the framework of Council of Ministers Resolution no. 82/2017 of 9 June 2017. The following facts deserve a particular mention (4.2):

- The majority of extensions (36 of 49) continued to apply to partial revisions.
- 6 PEs extended parallel agreements.
- The 49 PEs involved 10 sectors of activity, particularly Manufacturing (C) (21), Wholesale and retail trade (G) (10), and Human health and social care activities (Q) (5).

- 13 proposed extensions were opposed during the public consultation phase: 5 by employers, 4 by trade unions, and 4 by both trade unions and employers.

14. There was a notable rise in the number of IRCTs published in the Public Business Sector (SPE, 4.3.) in 2020 (78 IRCTs: 32 AAs, and 46 AEs) (compared to 36 IRCTs in 2019). They involved 23 enterprises (Table 28), mostly in the transport sector (78% of 78 IRCTs). A detailed breakdown reveals both a number of parallel agreements, and the fact that just 3 enterprises were parties to 27 agreements between them. We can also see that partial revisions were especially numerous (61% of 46 AEs), but that they remained in effect for very different lengths of time.

15. A more far-reaching look at the contents of the collective agreements entered into in 2020 follows a line of analysis that is similar to that of previous Reports (4.4.1) and is based on two types of approach:

    - A more general one, which considers the major thematic blocks in question.
    - Another, more in-depth one, which considers: the scope of application of the various agreements; the length of working hours and the way working time is organised; worker qualification; equality; performance evaluation; social benefits and supplementary welfare regimes; rights of bodies representing workers; fixed-term employment contracts and trial periods; and also the right to the protection of personal data, and its connection to personality rights.

16. On the content level (4.4.2) and in general terms, a map of the 169 collective agreements entered into in 2020 presents a similar profile to that of preceding years, although the relative weight of certain topics is greater in some cases and smaller in others. We can thus see that:

    - The predominant topics were the terms and conditions governing pay and other monetary benefits, along with the regime governing the duration of the agreement in question, followed by the geographic scope of the agreement.

- There were subjects which were essentially regulated in situations involving overall negotiations, and which appeared in both first agreements and overall revisions (initial hiring; personality rights; adaptability; hour banks, secondment; intermittent work; leave; temporary closure of an establishment or reduced working hours; transmission of enterprises or establishments; conflict resolution; strikes).

- Others were mostly present in first agreements and overall revisions, albeit they also sporadically appeared in partial revisions (categories and careers; fixed-term employment contracts; the parties' rights, duties and guarantees; the workplace; joint committees; trade union activities).

- There were also some topics that were essentially regulated in AEs (occupational accidents; adherence to a union-negotiated agreement by individual non-unionised workers; harassment; on-call regimes; supplementary social benefits; flexible working, overtime, and shift work; performance evaluation; fixed-term employment contracts; equality and non-discrimination; health and safety; articulation clauses and transitional regimes).

- As mentioned in previous reports, topics regarding parenthood, and equality and non-discrimination are increasingly present.

- We continue to see the emergence of topics related to the protection of personal data, which are in turn linked to personality rights.

17. Looking at the universe of first agreements and overall revisions published in 2020 (55 of 169 agreements), we can see that Article 492 of the Labour Code (CT) is leading to a deepening of collective agreements (4.4.3), in the sense that they are following the recommendations set out in its paragraphs (2) and (3). We would particularly note the essential points covered in the agreements:

    - The subject of the relations between signatories included regulation of the instruments that are designed to resolve collective disputes derived from the implementation or revision of collective agreements, including the possibility of

resorting to conciliation, mediation, and voluntary arbitration, or to just one of those mechanisms.

- The arrangements regarding vocational training actions closely followed the law, bearing in mind the needs of both workers and employers.

- With regard to health and safety conditions at work, agreements covered the range of questions for which employers are responsible, including the planning and implementation of occupational health and safety measures and services. On the legal level, it is important to note that the SARS COVID-19 pandemic gave rise to a variety of normative and regulatory initiatives that entailed pursuing new strategies. In this respect, we should mention the need to adjust enterprises' contingency plans, and the mandatory requirement to wear masks or face shields. At the same time, on the European level, SARS COVID-19 was included in the biological agents at work category, the regime governing which was transposed into Portuguese law.

- Where the measures intended to ensure the effective implementation of the principle of equality and non-discrimination were concerned, the subjects addressed in agreements continued to be many and varied – a topic that is covered in more depth in a specific chapter of the Report.

- On the subject of the other rights and duties of workers and employers, the contents of agreements commonly included rules governing the base pay for all the different occupations and occupational categories. At the same time, collective bargaining continued to emphasise the subject of personality rights, especially with regard to their connection with technological evolution and data-protection rules.

- The mechanisms designed to bring about the peaceful resolution of disputes arising out of labour contracts varied. They often awarded competence in this respect to the joint committee or some other type of joint body, the arbitration committee, or labour-mediation centres, always on condition that the dispute does not endanger or undermine legally inalienable rights or result from an occupational accident.

- Agreements rarely provided for the services needed to ensure the safety and maintenance of equipment and premises or laid down the minimum services that are indispensable to the fulfilment of imperative social needs during strikes. However, the agreements in some sectors of activity (e.g. Health) have traditionally defined similar minimum services by occupation. In 2020, this minimum service regime was expanded by the publication of a number of accession agreements. There were also some clauses on social peace.

- The number of agreements that regulate what should happen after they expire, and which of their effects remain in force thereafter, became even smaller (6 of 55).

- 82% of agreements (45 of 55) provided for joint committees, which were often attributed areas of competence – to do with the revision of occupational categories and contents, and the resolution of individual conflicts – that go beyond those laid down in the Labour Code.

18. The Labour Code was amended in 2019, namely by Law no. 93/2019 of 4 September 2019, with effect from 1 October of that year. The Report devotes a specific section to analysing the extent to which the provisions of the agreements published in 2020 incorporated those amendments. In this regard we would especially note the deepening of two topics that were addressed in collective agreements and in which the legal changes made in 2019 were interconnected: fixed-term employment contracts, and trial periods (4.4.4 and 4.4.4.1).

19. The trial period regime was essentially present in both firm-level agreements and collective agreements, with a slight YoY increase in the number of cases (55 in 2020, 52 in 2019). There was, however, an unusually large number of agreements (23 of 55) whose contents were expressly altered, particularly with regard to the aspects revised by the aforementioned Law no. 93/2019. These included the trial period of both workers applying for their first job and long-term unemployed persons, as well as a reduction in the length of the trial period applicable to open-ended employment contracts (4.4.4.2).

20. The provisions governing fixed-term contracts are mostly to be found in AEs and ACs (covered in 30 of 45 such agreements) and overall revisions (27 of 45). We should also note that, compared to the previous version of the same agreements, the contents in this regard were changed in 63% (35) of the partial and overall revisions published in 2020.

    On the qualitative level, the amendments to Law no. 93/2019 were mostly reflected in agreements on two matters: with reference to the grounds that make it possible to hire on a fixed-term basis, within the interpretative parameters defined in Art. 139(1), CT: "fulfilment of the enterprise's non-permanent needs for a period not exceeding that predictably required to fulfil those needs"; and the maximum permitted duration of fixed-term contracts, which was reduced from 2019 onwards.

21. Within the scope of the core topics which it addresses in more depth, the Report (4.4.5.) looks at how collective agreements are applied. A number of facts are especially clear, in a manner that is very similar to that seen in previous years:

    - With regard to their geographic scope of application, the agreements were predominantly national in their coverage (mainland and autonomous regions), as opposed to agreements with a local or regional scope (4.4.5.1).

    - It is uncommon for collective agreements to refer to a format whereby individual non-unionised workers can unilaterally adhere to them, albeit some agreements have already been adapted to the terms imposed by Law no. 93/2019 of 4 September 2019 (4.4.5.2.).

    - In terms of duration (4.4.5.3), a notable percentage of agreements (73% of 149) were revised by the time they were 24 months old; at the same time, 63.48% of the workers encompassed by a revision of their agreement were covered by agreements with a duration of "12<24" months, which approximately matches the most common duration laid down in collective agreements as a whole (Tables 38 to 44).

- A group of 51 agreements (Table 39) governed their own duration, which in most cases was set at 24 months (24 agreements); the shortest duration was 12 months (19) and the longest was 60 months (1). In parallel, it is common practice for there to be a standalone duration for wage tables, which is almost always 12 months.

- It was rare for agreements to provide for what should happen during the grace period or after they actually expire; when they did, they often simply referred to the law on the subject (18 agreements). 6 agreements set out rules on their own effects after the agreement itself comes to an end by expiring. However, none made any mention of the aspects concerning "parenthood and health and safety" added by Law no. 93/2019 (4.4.5.4.).

- It was also less frequent for there to be clauses on the articulation or conjugation of the provisions of multiple agreements (6 of 169), but there was a larger number of transitional regimes (21 of 169) (4.4.5.5.).

22. The present Report consolidates its predecessor's analysis of the referral by collective agreements to subsequent regulations, which can sometimes take the form of internal regulations, and sometimes that of supplementary agreements (4.4.5.6). This category includes additional protocols that are not published in the *Boletim do Trabalho e Emprego* (BTE, Labour and Employment Bulletin), internal regulations imposed on employers by collective bargaining, and negotiated internal regulations. It is important to be aware of all of them, at least in terms of the topics that are chosen by the parties and their scope. A higher percentage of collective agreements referred to this subject than was the case in 2019, albeit qualitatively speaking the level of contents so regulated was less developed than in the previous year.

23. The rules governing the length and organisation of working time (4.4.6.) are traditionally a central theme in collective bargaining. On the quantitative level, these topics were essentially addressed in first agreements and overall revisions, but there was a slight fall in the number of cases, which to some extent reflected the YoY reduction in the number of IRCTs published in 2020.

24. All the first agreements and overall revisions that were published in 2020 defined the maximum duration of the Normal Working Period (PNT) (4.4.6.1.a, Table 52). A maximum of 40 hours (equal to the legal limit) continued to be the prevailing choice, sometimes accompanied by provision for differentiated regimes for different occupational groups or categories.

25. In 2020, 38% of agreements regulated the holiday period (4.4.6.1.b, Table 48), adopting a variety of solutions within an overall framework that had already been seen in previous years. The majority reproduced the legal regime, while others chose different solutions, either by extending the period provided for by law, or – in a return to the line taken in the 2003 Labour Code (CT/2003) – establishing systems in which the number of days of annual holiday can be increased, along the lines of the 2003 regime.

26. Point 4.4.6.2. offers the usual analysis of the three outline formats which the law allows for organising working time in more flexible ways, the details of which have been developed in collective agreements: adaptability, hour banks, and concentrated working hours. Taken as a whole, 2020 saw fewer agreements with rules on adaptability and hour banks (30 in 2020, 38 in 2019). Having said that, it is worth noting the 2 pp increase in their proportional weight, from 16% in 2019 to 18% in 2020 (Table 54), which was primarily due to the slight rise in the number of agreements that only provide for adaptability.

27. On a substantive level, the 2020 agreements set out a regime which was similar to that of previous years. We would point to two aspects in this respect:

    - The existence of close links between the rules on adaptability and/or hour banks and those governing other instruments for managing working time – particularly overtime, and sometimes shift and night work.
    - A certain standardisation of contents and agreed solutions, depending on the sectors and collective subjects involved.

28. The usual solutions appeared in relation to the adaptability regime (4.4.6.2.c): the parties tend to establish their own mixes of the essential elements of the overall regime

(limits on variations in the working day, rules on the definition of working hours, duration of reference periods, etc.), while sometimes also providing for other elements (e.g. rules on situations in which workers are dispensed from the regime, the weight to be attached to family interests, compensation for expenses). This is why they often make marginal adjustments to the legal framework, rather than simply referring the matter to the law.

29. When it came to the hour bank regime (4.4.6.d), there was a variety of agreed solutions. The tendency towards a certain standardisation was thus combined with an adaptation of the rules in the applicable legal regime to each agreement's organisational and occupational context. As such, some agreements provided for specific balances in the management of the various components of the hour bank format: longer working days; the number of hours allocated to the bank; and forms of compensation for additional hours in time and/or money, and who decides when and how they should be taken, including the possibility of compensation for variations in the working day, and the provision of means of transport.

    Some agreements admitted the possibility of also using the hour bank system in a worker's interest and at their request (in most cases, subject to the employer's agreement).

30. Four agreements defined rules on concentrated working hours; in three of them, this format coexists with both rules on hour banks and adaptability provisions (4.4.6.e).

31. Provisions for regimes under which workers can be required to remain available on call in order to respond to unpredictable needs (4.4.6.f) continued to be found essentially at the firm level (14 of 17 agreements in 2020). The exact definition of the format depends on the specificities of each business organisation, and there is also a strong connection in terms of the way work is organised between the on-call and continuous working regimes. There was also a variety of compensation mechanisms, albeit almost always in the form of an on-call allowance that may or may not be linked to additional pay for work that is actually done in this context.

32. In 2020, overtime continued to be an important element in the ways in which working time is organised (39% of 169 agreements). The agreements in question primarily addressed the remuneratory aspect, with 84% of the first agreements which regulate the topic setting overtime pay above that required by law, and the rest simply copying the applicable legal provisions. There were also a number of other matters linked to the implementation of an overtime regime (whether it is permissible; whether workers can refuse to do overtime or not; conjugation with the regimes governing night and shift work).

33. The CRL's Reports have devoted a specific chapter to the various mechanisms designed to make working time more flexible in the worker's interest (4.4.6.h), as well as to the importance attached to workers' interests within the overall framework of the functioning of other flexibility mechanisms (adaptability, hour banks). The most common format involves providing for flexible working hours. Besides defining the actual notion of such schedules, the agreements varied very considerably in how they constructed the applicable regime – variations that essentially entailed the content and extent of the scope within which the worker can manage their time, their duties, what happens to unused balances, etc.

34. Together with overtime, exemptions from fixed working hours [4.4.6.i) have been one of the traditional instruments intended to allow workers to work more flexibly. In percentage terms, rules for such exemptions were provided for more often than in the previous year (26% of agreements in 2020, 23% in 2019). In terms of their scope of application, the majority simply copied the regime laid down by law, while others were adjusted to the applicable organisational context (permitted modalities; limits on the number of hours; and situations in which the regime expires or ceases to apply). The agreements adopted multiple ways of both determining exemptions from fixed working hours and calculating the applicable allowance.

35. In general terms, the question of promoting workers' qualifications (vocational training, and the student-worker system – 4.4.7.) was addressed in 46% of the collective labour

agreements that were published in 2020. It was again predominantly negotiated at the firm level (AE).

36. On the subject of vocational training (4.4.7.2), although some agreements did address initial training (13 of 69), most of them regulated aspects of continuous training (52 of 69). In general, the employer's role in initial training is essentially associated with enhancing, capitalising, and recognising a worker's existing vocational training. However, in the case of continuous training, the perspective and goals are different, to begin with in terms of the conjugation of the active roles of the employer, the worker, and sometimes the various bodies that collectively represent workers, who jointly consider the relevant priorities, programmes, and how to manage working and training times. We should also note the relationship between vocational training and career advancement, and sometimes also occupational reconversion (due to health, the need to adapt to new technologies, the restructuring of departments or services, and/or functional mobility). In the majority of situations, the agreements provided for 40 hours of training per worker per year, as laid down in Law no. 93/2019 of 4 September 2019.

37. 42 agreements regulated the status of student-workers (4.4.7.3.), with particular emphasis on aspects linked to making working times more flexible in such a way as to make it easier for students to reconcile their academic paths with their work for the employer. These included defining matters like any dispensations, working hours, leave and holidays, as well as the partial payment of expenses.

38. The Report devotes a chapter to the principle of equality in labour relations (4.4.8.), focusing on three topics: moral harassment, reconciling family life and work, and parenthood and equal working conditions in general. This subject has warranted growing attention from the parties in collective bargaining, particularly when it comes to updating the agreed rules in accordance with the successive amendments to the current legal framework. The last change was included in Law no. 90/2019 of 4 September 2019, which entered into full force in April 2020 and strengthened the protection of parenthood.

39. More agreements are now addressing or at least touching on the legal regime governing moral harassment, with rises in both absolute and proportional terms (2019: 11 of 240 agreements, 4.6%; 2020: 26 of 169, 15.4%). From a qualitative point of view, the depth to which agreements cover this topic varies, and they often simply reproduce the legal framework. The majority see the prevention of harassment as a duty on the employer's part and/or a right pertaining to workers, sometimes concomitantly with each worker's duty to avoid behaviours of this kind. 11 agreements provided for codes of good conduct (4.4.8.2).

40. Where reconciling family life and work was concerned (4.4.8.3), we find the usual variety of references, two aspects of which particularly stand out:

    - Protecting motherhood and fatherhood, including their articulation with the social protection regime (Art. 34, CT) and the catalogue of workers' rights set out in Article 35, CT.

    - Protecting the reconciliation of the working and non-working time binomial.

41. Where the implementation of the principle of equality and non-discrimination was concerned, agreements generally (4.4.8.4.) continued to focus primarily on defining the specific conditions regarding certain groups of workers – illness, disability, age, occupational accidents – and on measures designed to promote gender equality. There are always agreements that choose to simply refer the matter to the terms of the law, while others set out specific rules, providing protection in accordance with two formats:

    - By recognising the principle of equality and non-discrimination in general, with regard to how an occupation is undertaken, how work is organised, and how advancement within an enterprise occurs.

    - By defining conditions for certain groups of workers to gain access to employment or training, sometimes including the creation of positive discrimination measures (4.4.8.4).

42. In 2020, although a substantial number of agreements referred to workers' personality rights, the range of dimensions of this topic that were touched on in collective

bargaining decreased. Besides general statements on preserving personal privacy and private life, there were also some cases of rules on access to workers' individual personnel files (4.4.9).

43. Teleworking and the (sometimes related) right to disconnect were not often addressed in 2020, with a reduction in the number of collective bargaining provisions that matched the fall in the absolute number of agreements (4.4.10).

44. Although traditionally considered to be a matter pertaining entirely to the employer's management, regulations governing performance evaluation (4.4.11) have gradually been finding a place in collective agreements. The topic is essentially addressed at the AE and AC levels, with the majority of cases in 2020 appearing in the Public Business Sector (60%, 24 of 40 agreements). The number of agreements that covered the subject rose slightly (40 in 2020, 39 in 2019), with an almost even split between first agreements, overall revisions, and partial revisions (13 or 14 each). At the same time, 43% of agreements (17 of 40) continued to present a formal connection between performance evaluations and the rules on advancement and promotion. On the other hand, regulations on the latter are not always explicitly linked to evaluation regimes.

45. In 2020, the rules governing bodies that represent workers, and trade-union activities within enterprises (4.4.12) were addressed in 35% of agreements, essentially first agreements and overall revisions, and especially firm-level agreements. The topics that were addressed concerned the hour credit available to union representatives, and other rights laid down in the Labour Code. These included the right of representatives to information and consultation, to display and distribute information, and to meet the enterprise's management bodies, along with the general workers' right of assembly at the workplace and the right of representatives to meet workers there. References to participation by workers' representative bodies were also associated with aspects linked to the organisation of working time – especially the regimes governing how time can be made more flexible, and how work is provided – and to the definition of workers' occupational careers and categories.

46. In 2020, around a third of agreements (56 of 169) provided for the award of benefits intended to supplement those which the General Social Security Regime (RGSS) grants with a view to the provision of protection in the case of occurrences that are themselves covered by the RGSS – including illness, old age, and invalidity. There were also some other benefits related to workers' personal and family situations. By their nature, the various matters included in this topic are associated with collective bargaining, mainly at the firm level – 88% of the 56 agreements were AEs or ACs (4.4.13).

47. A final chapter is devoted to collective bargaining in the Public Administration (Chapter V). There were no Collective Career Agreements (ACCs) in 2020, but 48 Collective Public-Sector Employer Agreements (ACEPs) were published, 30 of which were revisions of existing agreements (27 overall revisions, 3 partial revisions), for a 58.3% YoY reduction in the number of ACEPs concluded.

    Although there was a decrease in the collective bargaining in the Public Administration, there were no significant changes in the main lines addressed in this field compared to 2019, with a continued predominance of the collective bargaining at the local administration level. In qualitative terms, it is worth noting that a teleworking regime was negotiated in three ACEPs.