

Trade Unions' Fragmentation in Slovenia: The Causes and Practical Lessons

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NEO-CORPORATIST TRADE UNIONS AND THE INSTITUTIONALISATION OF SOLIDARITY

Trade unions emerged in their early period in the 19th century as small groups for horizontal solidarity within plants, providing assistance in cases of illness and loss of job in the context of a complete absence of government's social functions. In the next step, they adapted their strategies of acting and the organisation structure to the concentration of industrial production within large factories with mass labourers, so they transformed into big institutions. Their actions, including solidarity, became institutionalised and they tended to generalise them to the burden of governmental bodies and policies. The peak of this policy of the workers' movement was achieved within the neo-corporatist regime of industrial relations regulation after the Second World War,

when trade unions became a social partner, which successfully negotiated wages, the legal security of workers, their working conditions, and welfare policies with the Chamber of Commerce and the government in the context of a great economic growth and full employment. They achieved a legislative role through co-signing collective agreements. Since the development of this institutional framework, the mode how the unions exercise solidarity can no longer be comprehended as direct assistance only, but also as being integrated into wider institutional arrangements. The rationale for this way of acting is to pursue the members' interests.

The engagement of the unions in social partnership and in the never-ending collective negotiations generated internal bureaucratisation and a split between the union's leadership and the members. The decision-making was centralised and the members comprehended their relation to the union as an instrumental one: they expected the leadership to realise workers' economic interests, while the members could mostly remain passive. In the long period of economic conjuncture up to the 70s, this division of work was not dysfunctional; but since then trade unions have been forced to play a defensive role, the regulation of industrial relations has tended to be decentralised which has increased the power of management within companies, and union members have been disappointed. Furthermore, the unions, which have thus so far mostly associated qualified industrial blue collars, have had serious problems trying to integrate an increasing population of much more various white collars and a critically rising segment of precarious workers, in whose favour the unions' legal assistance services cannot do much using the employment legislation. Consequently, trade union density has been decreasing everywhere across Europe since the 1980s.

TRADE UNIONS IN POST-SOCIALIST SLOVENIA

This development, characteristic of European trade unions, has been repeated in Slovenia, too, in a shorter period since 1990. The neo-corporatist framework developed in the mid-90s, after the unions had organised a one day-long general strike as a response to the difficult social situation following the collapse of Yugoslavia and its market, and to the government's plan to restrain the high inflation rate by freezing salaries. After that the right-wing government soon lost elections, and the following left-centre governments realised that the inflation rate

should be dealt with through a social dialogue on salaries. They established a neo-corporatist system, and joined the trend of its renewal in Western Europe in the 1990s, where consensual cutting of the inflation rate facilitated the convergence into the common European currency. Within social partnership, Slovenian unions achieved the preservation of a relatively high standard of open-ended employments' legal security, an inter-generational solidarity public pension system, and a relatively wide-ranging welfare state (Stanojević 2010: 123).

But within only one decade, negative lateral effects of this historical deal started to emerge. Lower-productivity companies competed with the strained international competition by intensifying work and by spreading precarious segments of employments. These increased up to 40% of the labour-active population before the financial crisis of 2008, and until now they have already exceeded a half of it (Kramberger 2007: 76; Kovačič 2016). In companies, temporary "survival coalitions" have emerged (Stanojević 2004: 127), based on an exchange of an increasing quantity of work and a more and more flexible working time for safe jobs with very low salaries, making possible only survival or a life with a low material standard. An informal economy has been their external condition, but this welfare model has had two limits. The first is a longer-term one: the health exhaustion of such double-workers will eventually become a social cost, and an increasing one. The second limit is a mid-term one: in the years before the crisis, the prolonged work-days started to critically reduce the spare-time available for additional incomes from the informal economy (Stanojević 2010: 128). Younger generations have paid a huge price for these temporary strategies of keeping price competitiveness despite technological underdevelopment of an important part of the Slovenian economy. They have been hit extraordinarily by the segmentation of the labour force market, and their welfare perspective in the elderly age has not been optimistic due to the low social security payments and demographic decline. Inter-generational interest splits have had political consequences, too: a high rate of distrust of the system and the elites, the volatility of the electorate body, a quick de-unionisation after joining the EU in 2004 (Broder 2016: 41), and after 2011 also net emigration of young and highly educated people. Slovenian trade unions have not yet found efficient answers to these structural trends and challenges.

The unions in Slovenia started to lose their members after accession to the EU and the ERM in 2004. The working and social conditions in the Slovenian industry worsened after the abandonment of the floating exchange rate policy that had supported exporting com-

panies. Moreover, financialization (Blyth 2013; Pettis 2013; Krugman 2012; Koo 2015; Becker 2013) and an inflow of cheap foreign credits (Drenovec 2015: 149–167) stimulated a series of management takeovers that added to the financial burdens of companies. A higher inflation rate caused by the inflow of foreign loan money affected the purchasing power. Despite a nominal economic growth, the situation of Slovenian workers worsened in their working places as well as in consumption, since the conjuncture was not based on increasing productivity, but on taking debts. Great public expectation about “European salaries and material standard” after EU accession, which was the main slogan with which the political elite promoted its central political goal, turned into great disappointment. The combination of all the listed breaks caused the workers’ realisation that the neo-corporatist political exchange serving the EU accession gradually caused an unbearable situation. The neo-corporatist regime “changed into a mechanism of strong internal self-exploitation” (Stanojević 2010: 137); thus, Slovenian unions “became victims of the neo-corporatist system they had co-created” (Stanojević 2010: 132).

Stanojević deems that the unions had an opportunity to change their strategy of action to a more determined class mobilisation after the massive protest in November 2005 against the government’s plan to introduce a flat tax rate. But instead, they decided to renew neo-corporatist negotiations and “became part of an unequal political exchange of the government abandonment of the flat-tax idea for a revival of Economic-Social Council and the inflation restraint. The question of privatisation was excluded from this exchange”. Within this constellation, trade unions agreed to the role of a legitimiser of processes worsening the workers’ situation and, consequently, “the previously indicated opportunity for class integration started to go to ruin” (Stanojević 2015: 413).

At the beginning of the 1990s, the union density in Slovenia was around 2/3 of the working population; later it decreased due to the downfall of many large companies, and eventually it stabilised at 40–44%. In the few years following EU accession, this share was reduced by one third, as a consequence of the widespread disappointment about the results of the unions’ neo-corporatist strategy at the micro level. This trend continued and intensified during the economic crisis, which started in late 2008. Labour intensity, low salaries, numerous bankruptcies of big companies, threatening unemployment, the struggle of companies and households for bare survival, cuts in public spending and, consequently, the defensive attitude of trade unions caused a further decrease in the number of members. In 2015 the

union density fell to 20% of the work force (Broder 2016: 41). This number should be interpreted in the light of the restructuring of the economy and the segmentation of employees. The collapse of many large companies in the 90s and during the last crisis, and the move of workers into small businesses and self-employment, has changed their structural conditions, so that it is hard to expect them to stay in the unions. The power over the employees in small companies is much more severe and direct, and the chances for company unions acting there are much smaller. Also, the unions hardly give legal assistance to precarised workers, due to the lack of efficient legal means within the employment legislature. In the meantime, the union density within many larger employing organisations is still 40–50%.

In addition to the quantitative reduction of union members, their demographic and professional structure has changed significantly, too, and this impacts on relations and dynamics between the unions. The members have been ageing quickly which, together with the decreasing union density, means that the existing members have got older, while there are not enough new, younger ones coming in (Broder 2016: 16–17). The share of union members with secondary and tertiary levels of education has been increasing (Broder 2016: 19–21), which can be explained not only by a general rise in the level of education, but also by a transformation of the members' structure from formerly outstandingly prevailing blue collars to white collars. According to the pool data, from the beginning of the 90s to the outburst of the economic crisis of 2008, 64–74% of all union members were employed in the business sector and the core of the members were classic industrial workers. This share has dropped rapidly since then, and in 2015 no more than 37% of the members came from the business sector, all the others were from the public one (Broder 2016: 31).¹ Another important indication has been a deep change in the union density among the employees in the business and in the public sector. According to the pool data, the density in the public sector was around 70% from 1990 to 2003; after EU accession and during the

1 These data are probably not fully correct. The longitudinal pool *Slovenian Public Opinion*, which is their source and is the only publically available source of information about the union density, in 2015 surveyed the proportions between employees in the business and in the public sectors at 65 : 35, while the official statistical data said it was 72 : 28. This difference indicates that the pool was not fully successful in covering a certain segment of the employees in the private sector. Nevertheless, the data point out an enormous change in the sector structure within union members, as the share of the private sector workers within the total work force has decreased by only a couple of percentage points during the crisis (Broder 2016: 29-31).

first years of the crisis, it fell to 57%, and after 2013 it stabilised at 42%. The density in the business sector was 45–50% before 2003, and since then it has been rapidly falling so that in 2015 it reached no more than 13% of the work force (Broder 2016: 32). We should note, however, that in certain branches, such as metal and electro, paper, and chemical industries, as well as partly in the trade branch, the union density has remained relatively high, even up to 40%, according to the insider information I received. But this means that the above-listed structural difficulties of private-sector workers have decimated the number of the members and the power of other business-sector unions in comparison with the situation in the 1990s.

The breakdown of trade unions in important parts of industries and business services has increased the relative power of public-sector unions. These cover very different white-collar professions with various problems and interests. This situation – together with a generally defensive role of the unions and with the existential troubles of union professionals due to the decrease in the number of members – has produced strong interest fragmentation among public-sector unions. Some of them have radicalised, as the leaders have been addressing their bases more aggressively. The consent and cooperation among them in common actions has become more difficult to achieve. They have tended to play one against another in their separate and partial struggles, especially because the restrictive public spending (austerity measures) has pushed them into a zero-sum game in terms of gains from the government's budget.

THE RISE OF INTEREST FRAGMENTATION

Miroslav Stanojević, the most prominent expert on industrial relations in Slovenia, has briefly mentioned the interest fragmentation of Slovenian trade unions in several places in his texts,² but he has not put forward a satisfactory analysis and explanation of the phenomenon. At the level of the notion, he has pointed to different levels of union organisations and acting: to the plurality of union confederations, to the extent of their organisational (de)centralisation, to parallel activities of several branch or branch and profession unions, especially

2 In 2010, he gave an estimation, derived from pool data, that it “has potentially grasped at a half of the unionised population” (Stanojević 2010: 132), while my observations from practice show that this tendency is very strong all over the unions' scene.

within the public sector, and to their conflicting goals. Stanojević has offered several sporadic explanations of this phenomenon, but they are epistemologically heterogeneous. Some of them are structural, such as the thesis on the influence of the rising share of public servants within the unions' movement, and of their professional diversity (Stanojević, 1996: 14, 82); another one concerns the split of branch unions between the top, communicating mostly with its political environment and getting involved in macro political exchanges, and the unionists in companies, cooperating with management in order to save enterprises and jobs (Stanojević 2010: 133). Another type of interpretation is based on comprehending unions as actors, and it explains fragmentation as a result of their strategic mistakes. Such is the thesis that, after a huge protest in November 2005, Slovenian unions missed the opportunity for the formation of a class movement, and returned to social partnership under the conditions of concession bargaining; therefore, they have regressed into economism, which produces strong interest fragmentation. But the author continues this argumentation by claiming that room for historical opportunity appeared rarely, and that in general the present structural constellation leads spontaneously into economism (Stanojević 2015: 413–414).³

A historical ascertainment that in worsened economic circumstances, those national unions that have included class mobilisation in their strategies are in the least bad position (Stanojević 2015: 414), or the author's political statement that interest fragmentation is counter-productive in the neo-corporatist model as well as in its alternative of class mobilisation, cannot be analytically stronger than the fact that fragmentation is very strong, especially in the public sector. The negative assessment of interest fragmentation comes out of a political wish for unity among the unions that could be useful for union activities, but this should not prevent someone from analysing the internal dynamics of the unions' scene. Such an analysis can disclose which mechanisms and strategies at the micro level strengthen or restrain the generation of interest fragmentation. By taking this step⁴ we shall develop an alternative mode of thinking about how to reorganise unions and their

3 Another case of a tactical type of explanation is Stanojević's statement that fragmentation is a consequence of the strategically missed Representativeness of Trade Unions Act, 1993, which defined low threshold conditions for gaining representativeness for unions and confederations, and it did not prescribe periodical checks and procedures for the dispossession of this status if the number of members decreases; such a mechanism should stimulate unifications (Stanojević and Broder 2013: 304).

4 This analytical step has not been made by Stanojević, as he has been interested only in the general dynamics on the unions' scene, but not also in its internal diversity.

strategies in a productive way, so that they will adopt and integrate the fact of interest fragmentation and will thus limit their further collapse.

At the structural level, firstly, we state that interest fragmentation of the trade unions is a consequence of the multiple interest fragmentation of workers, in terms of their working situations as well as their segmented legal positions. The main mechanisms generating fragmentation are the spreading of small enterprises in the business sector, the diversity of professions in the public sector, and also the segmentation of the labour power market in both. Secondly, in addition to the structural changes in the labour market, the particular interest policies of some of the public sector unions aiming at the common public budget stimulate offences and jealousy of the other unions, and also within them.

The concrete aspects of the fragmentation of Slovenian trade unions will be presented here following their organisational stratification into three levels: confederations, core unions, and unions within every single working organisation or even within its units. The lower level unions are collective members of those at higher levels. The sum number of all formally registered unions is several thousand. Hardly anybody – apart from the insiders (union functionaries and officials) – knows the whole three-level construction and complicated relations within it.

Confederations (at the moment, there are nine of them, and the establishment of the tenth is being prepared, even if only three are functional and capable of leading national policies) are structured by several different logics. Some of them are composed of several trade unions of wider branches. In some cases, there are also unions of narrower branches, professions and specific legal statuses of workers. One of the confederations has a regional identity. Some of them were established for ideological reasons, as right-wing parapolitical party organisations. The very differences between the basic principles of structure have brought about the possibilities for the overlapping of competences and rivalry between the unions operating in certain branches or employing organisations. Besides the high number of confederations, fragmentation also consists of the fact that some of them are internally very lax formations and they do not articulate their policies centrally, but through the hegemony of the partial agendas of their stronger core member unions. Within an asymmetric confederation, the partial interests of the strongest member union can be enforced as the confederation's official policy, even if its effects for others are a zero-sum game. Consequently, such paternalism triggers tensions between different branch unions, and leads to the establishment of alternative

unions in other confederations. One of the main generators of such dynamics is the Education, Science and Culture Trade Union of Slovenia, which is by far the largest union in the public sector, and which leads one of the confederations in the way of favouring its own partial agenda. Although its declared statement is in favour of centralising the unions' scene, its policy has caused just the opposite, i.e. self-defensive fragmentation and the establishment of new unions in the disregarded branches.

The mutual acceleration of the stronger groups' interest partialism and the separatism of the weaker ones have appeared inside branch unions, too. The reasons for that are as follows. A frequent phenomenon is an enforcement of the interest hegemony of a basic profession within a branch to the detriment of assistant professions. The hierarchy of the vocations has been transmitted from working relations to the union's agenda, so that a nominally branch union has in fact acted as the union of the core profession. The reactions of members from other vocations have been the establishment of unions of professions or alternative branch unions in which professionally specific members have prevailed. A similar phenomenon has been the interest hegemony of a more massive narrow branch over those which are few in number, and the last have formed their own unions. In some of the cases, a new union has been established because of the passivisation of the previous one, when it was usurped by a leadership clinging to its positions because of their personal interests. Some of the industry unions have become completely inactive and have thus lost numbers of its members, but the existing leaders block any renewal and are nevertheless able to survive financially, because the union accumulated certain means in the past. Even if the organisation is nominally still a trade union, it has in fact transformed into a little financial or real-estate holding, while its unsatisfied members have been escaping to its competitors.

In Slovenia, the most difficult fragmentation in forms of parallel unions as well as unions of narrower branches, and of professions, is in the field of the health system. A very strong hierarchy among professions, the non-transparent mingling of public and private health services, the decay of the public health system, and private by-passes of public system doctors are the structural circumstances that have an impact on the trade unions in the health field. Consequently, there is no real whole-branch union with a balanced covering of interests of all of its professions that would enable it to seek allies among users. Instead, there are several vocational unions (even if some of them are nominally declared as being branch unions) and a sharp interest rivalry between them dominates the scene.

Before 2008, single strong public sector unions periodically organised strikes and other forms of pressure, in order to gain and improve privileged material positions of their core professions. The result was the accumulation of salary imbalances and a lack of transparency over all salary supplements. The government then adopted the law on the uniform salary system in the public sector in 2002, and implemented it after six years of negotiations on placements of all the job positions into the new system. Because of the union partialism in the period of the negotiations, the new salary system fixed the imbalances, reflecting the inequalities of power between the unions. The existence of anomalies was generally acknowledged, but their elimination was frozen by the emergence of the financial crisis and the following austerity policies. The frozen imbalances have become a source of new tensions between the public sector unions and of deepening their fragmenting. After an improvement of the economic situation and the government's fiscal condition in 2015, the expectations of underpaid groups of civil servants have grown, and partial achievements of some unions using strikes and protest meetings have become targets of jealous outrage by the others. This complicated coordination between the unions, competing against one another for the same sack of public money, has become more difficult. It seems that the deepening interest fragmentation has become irreversible and that there is no neutral authority able to turn this process.

Besides this general constellation, what needs to be considered are those trade unions in the public sector with a relatively big ability to mobilise their members. Such cases are the unions of doctors, of single uniformed occupations (policemen, soldiers, fire-fighters), and of school and nursery teachers. In all the cases, these are the core occupations of the branch. Constrictions of their unions' agendas to one profession's focus have produced an identification pivot, attractive enough for more individualistically oriented white collars. The strongest public sector unions act as unionist versions of professional associations. Their answer to the challenge of the diversity of working conditions, which in the past was the reason for a lower union density in comparison to the qualified blue collars, was getting smaller. Their size reflects the fragmentation of the field of work in public services. What members expect from such focused unions is covering their specific interests and problems of their specific working conditions, and not a kind of general class interest. They are ready for involvement in a union if it is sensitive to their specific needs. Mobilisation for wider goals and principles is much more difficult to expect. This existing perspective of the white collars should be the key for a proper organising of the trade unions at all the three levels.

A PRODUCTIVE ADAPTATION OF UNION'S INTERNAL STRUCTURE TO INTEREST FRAGMENTATION

The key point that needs to be taken from the currently most successful model of the organising of individual unions, i.e. identity and programme compact profession unions in the public sector, is the fact that the field of working practices has diversified into numerous niches. Therefore, the internal organising of every union should reflect this external condition, in order to be able to cover as many niches as possible, and to prevent parts of its members from taking distance from the union and its actions. This very base – and not the opposite statement that unions should maximise their unification,⁵ which, under the condition of developed interest fragmentation, would mean to submit to the hegemony of the largest groups or core occupations – should be a fruitful starting point for integrating fragmented decision-making structures, so that every partial interest should keep access to communication channels for delegating their specific agendas to the higher strata of union hierarchy. We can draw the following analytical as well as practical conclusions from the presented argumentation.

1. Interest fragmentation in the public sector is a fact that should be taken into consideration through an analysis as well as by seeking tactical solutions as regards organising structure and agenda-setting within unions. It has originated from different, even competitive partial interests of various sorts of public services and their occupations.

2. The negotiating potential of trade unions depends on their capacity to mobilise their bases, which is strongly differentiated among white collars, and this shrinks the field of possible identification with certain unions into narrower professions. The mass class base of the Fordist blue collars, which were the running force of the unionist movement in the mid-20th century, cannot be reckoned within a shorter term, at least, as their production conditions have changed and most of them have left the unions. The (no more existing) blue-collar

5 One of Stanojević's statements says that the unions' fragmentation was stimulated by a strategically false Representativeness of Trade Unions Act (Stanojević and Broder 2013: 304). We estimate that the Act only enabled a formal realisation of tendencies, caused by wrong, hegemonistic policies, performed by the largest union organisations. If the disregarded groups had not been given the option of a way out into their own, narrower unions, they would have exited the unions completely, and the gross union density would be dropping even quicker, similar to the business sector. Its branch structure would become even more asymmetric, consisting only of several large, identity compact occupational unions, and the interest fragmentation would be no smaller, while a large part of work force would have remained uncovered by union policy.

class unity will not be able to take dominance over rivalries among the white-collar unions. The possibility of a wide class mobilisation is not available, except in specific political situations, e.g. when the government insults the citizens. The real condition that the unions should adapt to is the condition of interest fragmentation.

3. An integration of the fragmented unions' scene in the public sector is possible only if the decision-making structures in every union and confederation are organised in a way enabling the articulation and transmission of specific interests bottom-up, and considering them by seeking synergies and balanced relations, together with limiting the cannibal prevailing of stronger partial interests. It means that organisations that are higher in a hierarchy act in a centralistic neutral as well as in a democratic way. Branch unions should exercise differentiated policies, servicing the needs of all their occupations. The only real alternative to this attitude is the endless division.

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