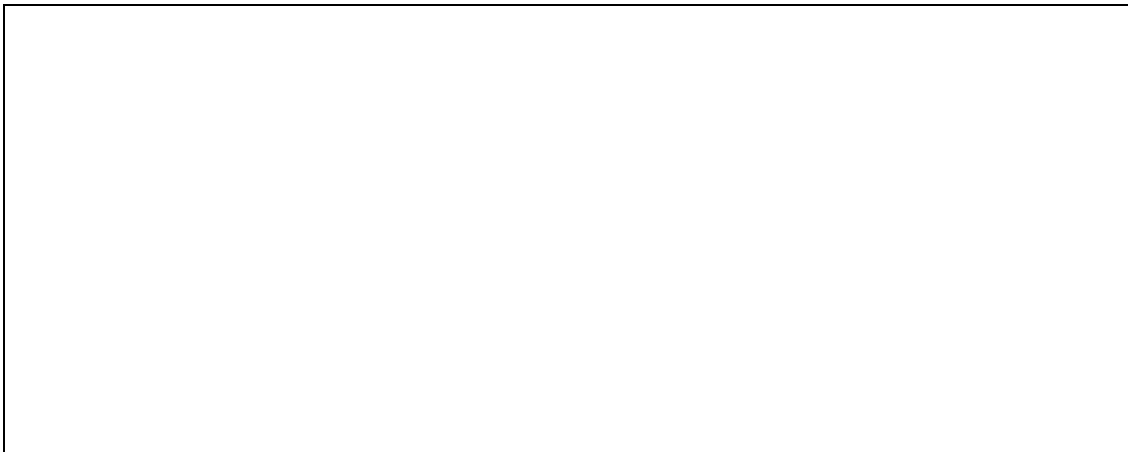


## **Collective bargaining coverage**

**A detailed methodological note**



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# Collective bargaining coverage

## Foreword

The database on *Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts* (ICTWSS) has been developed by Prof. Jelle Visser at the University of Amsterdam. It was first released in May 2007. In its initial form, the ICTWSS database combined data from various sources and projects with a main focus on trade union in EU and OECD countries (Visser and Ebbinghaus, 2000<sup>[1]</sup>; Visser, 1991<sup>[2]</sup>; Visser, 2006<sup>[3]</sup>), collective bargaining and employment relations in Europe (European Commission, 2004<sup>[4]</sup>), and social pacts (Avdagic, Rhodes and Visser, 2011<sup>[5]</sup>). After its first release, the database has been updated every second or third year and more variables and countries have been added.

In 2021, the ICTWSS database has been rebranded as the OECD/AIAS ICTWSS database. The new name reflects the joint effort by the OECD and AIAS-HSI to ensure the continuation of the database after Prof. Visser's retirement. The OECD/AIAS ICTWSS database develops and consolidates earlier versions of the ICTWSS database, notably in providing more detailed information on minimum wage settings in OECD and expanding geographical coverage to Western Balkan countries.

The first version (1.0) of the OECD/AIAS ICTWSS database has been released in February 2021 and has been produced with the financial assistance of the European Union Programme for Employment and Social Innovation "EaSI" (2014-2020), VS/2019/0185. A new version (1.1) providing new estimates of collective bargaining coverage for Estonia, Lithuania and Portugal has been released in April 2023 with the financial assistance of the ESF+ - Employment and Social Innovation strand (2021-2027) provided under the agreement ref. no. VS/2022/0100. An update of the main indicators of the database up to the latest available year will be released in 2024. A full update will be available in 2026. The views expressed herein can in no way be taken to reflect the official opinion of the European Union.

This note provides a detailed discussion of the definitions, measurement and sources used for the calculation of collective bargaining coverage. It also documents the changes made to the estimates of collective bargaining coverage in Estonia, Lithuania, and Portugal.

The OECD/AIAS ICTWSS database is publicly available at [www.oecd.org/employment/ictwss-database.htm](http://www.oecd.org/employment/ictwss-database.htm). The previous versions of the ICTWSS database (1-6.1) can be found at the following page <https://www.ictwss.org/downloads>.

For any information or correction, please contact [CollectiveBargaining@oecd.org](mailto:CollectiveBargaining@oecd.org).

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Note: The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law.

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## Definitions

Collective bargaining coverage represents the share of workers covered by valid collective agreements in force. What counts as a valid collective agreement in force is defined by international and national legislations and, in some case, tribunals.

Someone is covered when, in the reference period, a collective agreement<sup>1</sup> applies to that person's job and regulates his or her employment relation. In most labour laws that means that clauses in the individual employment contract which violate the stipulations the collective agreement are null and void. The target of the bargaining coverage statistic is to record all valid collective agreements during the reference period under consideration and all persons (or jobs) to whom such agreements apply. This includes multi-year agreements which originate from an earlier year but are still valid.

One particular measurement problem may arise from multi-annual collective agreements since some statistics record only the (first) year in which the agreement is concluded. Moreover, agreements that have expired will also count when the "after effect" (or ultractivity) of the prior agreement is recognised in law and/or by the social partners as the time needed for reaching a new agreement.

Multi-level bargaining may create another comparability issue. Groups of employees may be covered by several collective agreements (at national, industry, company, or plant level) at the same time. Such "multi-coverage" may lead to "multi-counting" of the same employee or job, especially when the statistics are based on data provided by the bargaining parties. To avoid double counting, bargaining coverage is defined, not as the number of employees per agreement, but as the number of employees covered by any kind of collective agreement.

Finally, bargaining coverage refers to the formal application of a collective agreement. Therefore, employees covered as the result of administrative extension of the agreement to non-organised firms are included, even if they work in a company that has not signed it. In contrast, those workers whose wages and/or working conditions are affected by the results of collective bargaining because of spill overs or of non-organised firms that "orientate" their pay policies to the norms defined in collective agreements are not included.

In the framework of the OECD/AIAS ICTWSS database, it is important to note that:

- Given that employees may be covered by several collective agreements (at national, industry, company, or plant level), to avoid double counting, bargaining coverage is defined, not as the

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<sup>1</sup> ILO Convention No. 154 (1981) defines collective bargaining as "all negotiations which take place between an employer, a group of employers or one or more employers" organisations, on the one hand, and one or more workers" organisations, on the other, for: (a) determining working conditions and terms of employment; and/or (b) regulating relations between employers and workers; and/or (c) regulating relations between employers or their organisations and a workers' organisation or workers' organisations. The collective agreement is the result of these negotiations. The Resolution adopted by the Third International Conference of Labour Statisticians in 1926, which represents the only international standard on how collective bargaining statistics should be compiled, recommended that, for the "purpose of statistics", the collective agreement be understood as a "written agreement" and that the number of newly concluded agreements and the number expired should be recorded at regular intervals. From the ILO definition and the 1926 Resolution it transpires that it is not a defining characteristic of collective agreements that they set a norm on wages, its level or rate of change.

number of employees per agreement, but as the number of employees covered by any kind of collective agreement signed by *bona fide* trade unions<sup>2</sup>.

- Collective agreements at national level fixing the minimum wage (such as those currently negotiated in Belgium or Estonia) are *not* considered in the calculation of collective bargaining coverage as this would affect the comparability across countries as well as the spirit of the indicator itself (which is about more general bargaining and not the minimum wage).
- Only agreements negotiated by independent representation, i.e. *bona fide* trade unions, are considered. However, at this stage, the data available do not allow to fully rule out that, in very few instances, the data might also include some agreements negotiated by non-union bodies. But the problem, if confirmed, would be small and not such to put in question the comparability of the estimates.
- Coverage also includes agreements that have expired when the “after effect” of the prior agreement is recognised in law and/or by the social partners.

There are two ways of measuring the bargaining coverage rate, depending on whether or not one adjusts for employees who are legally excluded from the right to bargain (Traxler, 1994<sup>[6]</sup>):

- **UnadjCov**, the unadjusted coverage rate, is defined as the number of employees covered by any collective agreement in force as a proportion of the total number of employees (regardless of whether certain groups are excluded from bargaining), technically: **WCB** (number of employees covered by collective agreements in force) divided by **WSEE** (total number of employees according to the international definition, ISCE-93), expressed as a percentage.
- **AdjCov**, the adjusted coverage rate, is defined as the number of employees covered by any collective agreement in force as a proportion of the number of eligible employees (i.e., the total number of employees minus the number of employees legally excluded from the right to collectively bargain), technically: **WCB** (number of employees covered by collective agreements in force) divided by **WSEE** (total number of employees according to the international definition, ISCE-93) minus **Wstat** (employees covered by statutory regulation and/or excluded from collective bargaining as stated by law or national regulations), expressed as a percentage.

The definition of collective bargaining coverage used in the Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union corresponds to the one used to calculate adjusted bargaining coverage (**AdjCov**) in the OECD/AIAS ICTWSS database:

*“Collective bargaining coverage’ means the share of workers at national level to whom a collective agreement<sup>3</sup> applies, calculated as the ratio of the number of workers covered by collective agreements to the number of workers whose working conditions may be regulated by collective agreements in accordance with national law and practice.”*

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<sup>2</sup> Statistics on collective bargaining coverage (**WCB**) relates to jobs rather than employees, which entails another risk of double counting involving employees in several jobs. To correctly estimate the coverage rate, it would be necessary to relate the number of jobs covered by collective bargaining agreements in force to the total number of salaried jobs. However, as series on salaried employment are not available, this bias must be considered when interpreting coverage rates, even though the proportion of employees holding several jobs is generally limited (ranging from less than 1% to 5% in the European countries in 2022).

<sup>3</sup> In the Directive, “collective agreement” means a written agreement regarding provisions on working conditions and terms of employment concluded by the social partners that have the capacity to bargain on behalf of workers and employers respectively according to national law and practice, including collective agreements that have been declared universally applicable.

## Measurement of the collective bargaining coverage rate

The choice of data sources used to measure the collective bargaining coverage rate (**AdjCov**) in the OECD/AIAS ICTWSS database was guided on the one hand by the availability and exhaustiveness of sources that could be mobilised at national level and, on the other hand, by their compliance with the operational definitions set out in the previous section.

The coverage rates published in the database can thus be classified according to three main sets of estimation methods (Table 1).

**Table 1. Estimation methods of the collective bargaining coverage rate (AdjCov)**

	<b>Method 1</b>		<b>Method 2</b>	<b>Method 3</b>	
	Derived estimation based on estimation of the number of employees covered (WCB)		Direct estimation of the coverage rate based on dedicated data sources	Coverage rate based on external sources	
National CA registers	Argentina Chile Costa Rica Hungary Lithuania*	Mexico Netherlands Poland Spain			
CA information from social partners	Czech Rep. Switzerland		Denmark Finland Sweden		
Labour Force Surveys or employee-related surveys	Canada New Zealand	South Africa United States	Estonia* Norway United Kingdom		
Business / company surveys	Portugal* <sup>1</sup>		Australia Bulgaria Germany Latvia Luxembourg		
ILO IRdata				Brazil† China† Colombia†	Indonesia† North Macedonia Russian Fed.
Interpretation of CB legislation				Austria Belgium France	Iceland Italy
Experts' estimations	Albania Cyprus <sup>4</sup> Japan Korea Türkiye			Bosnia & Herzegovina Croatia Greece Ireland Israel	Malta Romania Serbia Slovak Rep. Slovenia

Note: \*: Revised data (OECD/AIAS ICTWSS version 1.1). The OECD/AIAS ICTWSS database does not contain any estimates of the coverage rate for India, Kosovo, and Montenegro. CA: collective agreement. †: unadjusted collective bargaining coverage rate.

<sup>4</sup> Note by the Republic of Türkiye: The information in this document with reference to “Cyprus” relates to the southern part of the Island. There is no single authority representing both Turkish and Greek Cypriot people on the Island. Türkiye recognises the Turkish Republic of Northern Cyprus (TRNC). Until a lasting and equitable solution is found within the context of the United Nations, Türkiye shall preserve its position concerning the “Cyprus issue”.

Note by all the European Union Member States of the OECD and the European Union: The Republic of Cyprus is recognised by all members of the United Nations with the exception of Türkiye. The information in this document relates to the area under the effective control of the Government of the Republic of Cyprus.

1. The Gabinete de Estratégia e Planeamento (GEP) also publishes a collective bargaining rate based on statistics from the Quadros de Pessoal. However, the number of employees from this administrative survey refers only to the coverage firms registered in the Social Security System. For the sake of international comparability, the coverage rate is estimated by the OECD/AIAS with the number of employees from the Labour Force Survey that includes all employees whatever their registration status to the social security.

The first method follows the formula set out in the previous section, which starts from the number of employees covered (**WCB**) and relates it to the number of employees with the right to collective bargaining (**WSEE-Wstat**). This concerns 21 countries, for which this note will detail in the following sections the sources used and the measurement issues for each element considered (**WCB**, **WSEE** and **Wstat**).

For nine of them, there is a comprehensive register of valid collective agreements based on the requirement to lodge the collective agreement with Labour Ministry or some other public authority from which the number of employees covered by valid collective agreements (**WCB**) can be estimated. For Poland, the data only concern collective agreements at company level, which nevertheless represent the vast majority of collective agreements in force in this country.

For the Czech Republic and Switzerland, coverage rates (**AdjCov**) are derived from information provided by social partners. In the Czech Republic, the data come from an analysis of the collective agreements signed by the largest trade union confederation (ČMKOS) and its affiliates, and for Switzerland from a survey of collective agreements among the social partners.

For Canada, New Zealand, South Africa and the United States, all components (**WCB**, **WSEE** and **Wstat**) used for the estimation of the coverage rate and the coverage rate itself (**AdjCov**) are taken from the Labour Force Surveys (LFS).

For Portugal, the Gabinete de Estratégia e Planeamento (GEP) conducts annually a compulsory administrative survey of establishments (Quadros de Pessoal) from which the number of employees covered (**WCB**) and a coverage rate can be derived. However, the coverage rate (**AdjCov**) published by the GEP refers to employees registered with social security and not to all employees. Therefore, for the purposes of international comparisons, the coverage rate (**AdjCov**) is estimated by considering only the number of employees covered in relation to the total number of employees derived from the Labour Force Survey (LFS).

Finally, for five countries, the number of employees covered (**WCB**) is based on estimates derived either from a mixed analysis using administrative and social partner sources (Albania), or from the number of unionised employees (Cyprus, Japan, Korea), or from employees covered by collective agreements signed during the year (Türkiye).

The second method refers to coverage rates (**AdjCov**) derived directly from estimates published by the national authorities or social partners and are not derived from the standard estimation formula as described in the previous section for 11 countries. Coverage rates are based on surveys of employees for three countries (Estonia, Norway, and the United Kingdom), business/company surveys for five other countries (Australia, Bulgaria, Germany, Latvia and Luxembourg), and, finally, estimates from the social partners (Denmark) in conjunction with the national authorities (Finland) supplemented by data from the mediation office and the labour force survey (Sweden). Except for Bulgaria<sup>5</sup>, these estimates are regarded as official or, at least, considered as a consensus at national and international level. For this group of countries, deriving or using the number of employees covered by a collective agreement in force (**WCB**) would risk inferring a level that is not in line with the total number of employees (**WSEE**), either because

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<sup>5</sup> The official estimate of the coverage rate in Bulgaria is based solely on the number of employees covered by single-employer collective agreements (as published by the National Institute of Conciliation and Arbitration), excluding those covered by multi-employer agreements. Thus, to take the latter into account, and in the absence of administrative data, the national Structure of Earnings Survey is used instead, although the purpose of this survey is not directly related to the measurement of collective bargaining and has limitations.

of limitations in the scope of the surveys (in terms of sectors of activity or company sizes in the case of Bulgaria, Estonia and Luxembourg), or the sampling and/or weighting of the surveys (Germany, Latvia, Norway and the United Kingdom<sup>6</sup>) or the underlying employee series used (Australia, Denmark, Finland and Sweden). All these reasons led to keeping the coverage rate (**AdjCov**) as it is without going through the general formula. For most of these countries, the coverage rate is representative of the entire economy except for Bulgaria, Estonia, and Luxembourg for which there are limitations in terms of industry and/or size of enterprises (see Table 2 and Annex Table A.1).

**Table 2. Method 2: Direct estimation of the coverage rate (AdjCov) based on survey data**

Country	Survey	Universe	Respondent	Question(s) asked and possible answers	Estimation
Australia	Employment Earnings and Hours Survey (EEH)	Employees <sup>1</sup> and OMIEs aged 15 or more in their main job	Employers based on a random selection of employees from their payroll	Method of setting pay (single answer) <input type="checkbox"/> <b>Award only</b> <input type="checkbox"/> <b>Collective agreement</b> <input type="checkbox"/> Individual arrangement <input type="checkbox"/> OMIEs	Weighted share of employees <sup>1</sup> (excluding OMIEs) for which pay are set by awards or collective agreements in their main job
Bulgaria	European Structure of Earnings Survey (EU-SES)	Establishments with one or more employees of the non-agricultural sectors excluding activities of households as employers and activities of extra-territorial organisations and bodies	Employers of the local unit	Level of the collective pay agreement covering more than 50% of employees in the local unit or enterprise (single answer) <input type="checkbox"/> <b>National level or interconfederal agreement</b> <input type="checkbox"/> <b>Industry agreement</b> <input type="checkbox"/> <b>Agreement for individual industries in individual regions</b> <input type="checkbox"/> <b>Enterprise or single-employer agreement</b> <input type="checkbox"/> <b>Agreement applying only to the employees in one local unit</b> <input type="checkbox"/> <b>Any other type of agreement</b> <input type="checkbox"/> No collective pay agreement exists <input type="checkbox"/> Unknown	Employee-weighted share of local units in which more than 50% of employees are covered by any type of CA
Estonia	Estonian Working Life Survey (EWLS)	Employees in their main job working in firm with 5 or more employees	Employees aged 15 or more	Are your working conditions also determined by the collective agreement (except the national minimum wage)? <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No <input type="checkbox"/> Don't know	Weighted share of employees for which working conditions are determined by the collective agreement in their main job
Germany	Institut für Arbeitsmarkt (IAB) Establishment Panel	Establishments of all sizes and all industries	Employers of the establishment	Is this establishment bound by (single answer): <input type="checkbox"/> <b>an industry-wide wage agreement</b> <input type="checkbox"/> <b>a company agreement concluded by the establishment and the trade unions</b> <input type="checkbox"/> not bound by a collective agreement	Employee-weighted share of establishments bound by industry or company CAs.
Latvia	Structure of Earnings Survey (SES)	Establishments with one or more employees (all industries)	Employers of the local unit	Level of the collective pay agreement covering more than 50% of employees in the local unit or enterprise (single answer) <input type="checkbox"/> <b>National level or interconfederal agreement</b> <input type="checkbox"/> <b>Industry agreement</b>	Employee-weighted share of local units in which more than 50% of

<sup>6</sup> In the United Kingdom, in addition to estimates from the Labour Force Survey (LFS), the Annual Survey of Hours and Earnings (ASHE) also collects information on collective agreements. This survey among employers asks whether an employee's pay was set by reference to an agreement covering more than one employee. This question is slightly broader than the LFS question and covers jobs rather than individuals (since individuals may have more than one job, the employer can only provide information on the job and not complete information). The coverage rate (**AdjCov**) derived from this survey is much higher than that from the LFS (41% vs. 26% in 2021) likely due a lack of awareness among employees in the LFS about how their terms and conditions are set.



Country	Survey	Universe	Respondent	Question(s) asked and possible answers	Estimation
				<input type="checkbox"/> <b>Agreement for individual industries in individual regions</b> <input type="checkbox"/> <b>Enterprise or single-employer agreement</b> <input type="checkbox"/> <b>Agreement applying only to the employees in one local unit</b> <input type="checkbox"/> <b>Any other type of agreement</b> <input type="checkbox"/> No collective pay agreement exists <input type="checkbox"/> Unknown	employees are covered by any type of CA
Luxembourg	Structure of Earnings Survey (SES)	Establishments enterprises with ten or more employees of the non-agricultural sectors excluding activities of households as employers and activities of extra-territorial organisations and bodies	Employers of the local unit	Level of the collective pay agreement covering more than 50% of employees in the local unit or enterprise (single answer) <input type="checkbox"/> <b>National level or interconfederal agreement</b> <input type="checkbox"/> <b>Industry agreement</b> <input type="checkbox"/> <b>Agreement for individual industries in individual regions</b> <input type="checkbox"/> <b>Enterprise or single-employer agreement</b> <input type="checkbox"/> <b>Agreement applying only to the employees in one local unit</b> <input type="checkbox"/> <b>Any other type of agreement</b> <input type="checkbox"/> No collective pay agreement exists <input type="checkbox"/> Unknown	Employee-weighted share of local units in which more than 50% of employees are covered by any type of CA
Norway	Labour Force Survey (LFS) estimation by FAFO (Kristine Nergaard)	Employees in their main job.	Employees aged 15-74	Are pay and working conditions determined by (single answer): <input type="checkbox"/> <b>Collective agreement</b> <input type="checkbox"/> Individual agreement <input type="checkbox"/> without an agreement <input type="checkbox"/> Don't know	Weighted number of employees for pay and working conditions are determined by CAs in the private sector with the assumption that all public sector employees are covered by CAs.
United Kingdom	Labour Force Survey (LFS)	Employees in their main job	Employees aged 16 or more	Whether agreements between trade union and employer affect pay and conditions <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No	Weighted number of employees for which agreements between trade union and employer affect pay and conditions

Note: In **bold**, answers related to collective bargaining. CA: Collective agreement. OMIE: Owner manager of Incorporated Enterprise.

1. Since 2010, EEH estimates of employees covered by the various pay setting methods and their associated pay outcomes have been compiled based on the workplace relations environment following the introduction of the Fair Work Act 2009 and the subsequent introduction of the Fair Work (State Referral and Consequential and Other Amendments) Act, which allowed for the extension of the Fair Work Act to states and territories that refer workplace relations related matters to the Commonwealth. Data in previous publications of this series issued since 2000 are based on the workplace relations environment prior to the introduction of this legislation. The Fair Work system replaced the Workplace Relations Amendment (Work Choices) Act 2005 that was in place for the August 2008 Survey of Employee Earnings and Hours. For further details, see Employee Earnings and Hours, Australia methodology, <https://www.abs.gov.au/methodologies/employee-earnings-and-hours-australia-methodology/may-2021> and the Fair Work Commission, What is a National System Employer?, <https://www.fwc.gov.au/what-national-system-employer>.

Finally, the third method refers to 21 countries for which, due to the lack of comprehensive data on the number of employees covered (**WCB**) or official coverage rates (**AdjCov**), estimates are based either on the work of recognised national experts (11 countries: Bosnia and Herzegovina, Croatia, Greece, Iceland, Ireland, Israel, Malta, Romania, Serbia, the Slovak Republic and Slovenia), or derived from the interpretation of national collective bargaining legislation and case law (four countries: Austria, Belgium, France and Italy), or, where no information is available, from the International Labour Organisation's [IRData database](#) (Brazil, China, Colombia, Indonesia, North Macedonia and the Russian Federation). It should be noted that for Brazil, China, Colombia and Indonesia, coverage rates from the ILO ([Industrial](#)

[Relations data - IRdata](#)) are not adjusted for employees excluded from bargaining and/or with wages set by government mandate (**Wstat**).

### ***Employees covered by collective agreements in force (WCB)***

**WCB** records the number of employees covered by collective agreements in force. In most countries there is a register of valid collective agreements based on the requirement to lodge the agreement with Labour Ministry or some other public authority and the data are usually of good quality. Moreover, this data typically allows to distinguish agreements of different size, type (wage and non-wage, for instance), content, level, length, and union/employer combinations. The main issues with this type of data are double counting (two or more agreements applying to the same individual or job); agreements of different length (some registers count only the first year or the year in which the agreement was signed); different treatment of expired agreements and different practices of removing expired agreements from the statistical count.

**Table 3. Estimation of the number of employees covered by a collective bargaining in force (WCB)**

Administrative data (Registered CAs or administrative surveys)		Survey data	Experts' estimates
<ul style="list-style-type: none"> <li>• <b>National CA registers</b></li> <li>Argentina</li> <li>Chile</li> <li>Costa Rica</li> <li>Hungary</li> <li>Lithuania*</li> <li>Mexico</li> <li>Netherlands</li> <li>Poland</li> <li>Spain</li> </ul>	<ul style="list-style-type: none"> <li>• <b>CA information from social partners</b></li> <li>Czech Republic<sup>1</sup></li> <li>• <b>Administrative survey of establishments</b></li> <li>Portugal*</li> <li>• <b>Survey of CA contracting parties</b></li> <li>Switzerland</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Labour Force Survey</b></li> <li>Canada</li> <li>New Zealand</li> <li>South Africa</li> <li>United States</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Administrative and trade Union data</b></li> <li>Albania</li> <li>• <b>Based on union data</b></li> <li>Cyprus</li> <li>Japan</li> <li>Korea</li> <li>• <b>Employees covered by CAs signed in a given year from CA register</b></li> <li>Türkiye</li> </ul>

Note: CA: Collective Agreement. \*: Revised data (OECD/AIAS ICTWSS version 1.1). For further and detailed information, see Annex Table A.1. 1. Only company agreements concluded by the ČMKOS and its affiliates.

Comprehensive information on the number of employees covered by a collective agreement in force (**WCB**) is derived from the analysis conducted by the ministries of labour<sup>7</sup> or the public institutions in charge of collective agreement registers in eight countries (Argentina, Chile, Costa Rica, Hungary, Lithuania, Mexico, the Netherlands, and Spain). In the Czech Republic, Poland and Türkiye, while information from registered collective agreements is available, the statistics on the number of employees covered (**WCB**) are partial or estimated. In particular:

- In the Czech Republic, in absence of reliable data on all the collective agreements in force, the number of employees covered (**WCB**) is derived from firm-level agreements signed by the Czech-Moravian Confederation of Trade Unions (Českomoravská konfederace odborových svazů, ČMKOS) and its affiliates. Although this estimate is partial as it does not account for firm-level agreements signed by other trade unions, the number of employees covered by multi-employer agreements (published by the Ministry of Labour and Social Affairs) are mainly non-wage agreements which double with firm-level agreements.

<sup>7</sup> In Hungary, while collective agreements are registered at the Ministry for Economic Development, the analysis of the collective agreements and the derived statistics are conducted by the Institute of Economics.

- In Poland, in the absence of reliable statistics based on multi-employer collective agreements, the number of employees covered (**WCB**) is only derived from registered firm-level agreements analysed by the labour inspectorate. However, as the single-employer collective agreements represent by far the largest share of the collective bargaining in force in Poland, this estimation is potentially slightly underestimated.
- In Türkiye, the Ministry of Labour and Social Security (MoLSS) keeps a register of all collective agreements, but only publishes aggregate statistics on employees covered by a collective agreement signed in a given year (**WCB\_new**). In absence, of direct information on the number of employees covered by collective agreements in force (**WCB**), Çelik and Lordoğlu derive them based on the statistics published by the Ministry and the legal duration of collective agreements. Indeed, the duration of collective agreements in Türkiye ranges from one to a maximum of three years, but, in practice, almost all collective agreements are renewed on a two-year basis. The number of employees covered (**WCB**) is therefore estimated by averaging over two years the number of employees covered by new collective agreements in a particular year (**WCB\_new**).

Finally, for Portugal and Switzerland, while collective agreements are registered, statistics on the number of employees covered are derived from administrative surveys (Table 3):

- In Portugal, statistics are based on the Quadros de Pessoal, a compulsory and comprehensive administrative survey of all private sector companies<sup>8</sup>, conducted annually, in October. The dataset contains information on every employee, except for civil servants and independent workers, as well as on their employers (firm-level and establishment-level). Data cover information on each establishment and firm, such as size, location, economic activity, and employment, as well as information on each employee, such as gender, age, education, skills, occupation, tenure, monthly wages, and hours worked. It also includes information on collective agreements in force in each company and the number of employees covered provided by the respondent company.
- In Switzerland, statistics are derived from a comprehensive administrative survey of the contracting parties to a collective agreement (“Enquête sur les conventions collectives de travail en Suisse”) conducted every two years. As this survey is by nature subject to double counting (as a person subject to several collective labour agreements may be counted several times), the number of employees covered in the OECD/AIAS ICTWSS database only includes the number of employees covered by so-called collective agreements with normative provisions. For example, in the construction sector, there is a collective agreement with provisions on minimum wages to be respected (normative provisions) and a collective agreement for the early retirement fund in the construction sector. The latter covers almost the same people but regulates the question of contributions and early retirement rights. If we refer to the total of the collective agreements in this sector, the employees would therefore be counted twice.

In the absence of comprehensive information based on registered collective agreements, the number of employees covered by collective agreements in force (**WCB**) is derived from labour force surveys among employees. This source of information generally exclude double counting, refers only to valid agreements that apply during the reference period. Besides sampling errors, the disadvantage of survey data is that respondents may not know that they are covered, especially in the case of multi-annual agreements (which were signed in previous years) and sector and cross-sector agreements. This is probably less of an issue when the respondents are managers. In household surveys the problem is made worse using “proxy respondents”, i.e., someone who responds on behalf of other family members. Finally, and most importantly, survey results are very sensitive to how the question is formulated (Table 4).

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<sup>8</sup> The public administration, public institutions and employers of domestic workers are not covered.

The number of employees covered by a collective agreement in force (**WCB**) is derived from labour force surveys in Canada, New Zealand, South Africa, and the United States (Table 3). For South Africa, the survey measures the number of employees whose pay is governed by collective agreements, whereas the data for New Zealand refer to the number of employees whose terms and employment conditions are covered by collective agreements. For Canada and the United States, the estimate of the number of employees covered relates neither to pay nor to employment conditions but more generally to union membership (implicitly considering an automatic equivalence between union affiliation and bargaining coverage), and, for those who are not union members, to the coverage of their job by a union contract signed between union and employer.

It is important to note that for all these countries, the question on collective bargaining coverage only refers to the employees in their main job and therefore excludes employees who are covered by one or more collective agreements as employees in their secondary job(s). Nevertheless, the proportion of employees with more than one job remains relatively modest in all these countries and should not, a priori, significantly affect the rate of collective bargaining coverage.

**Table 4. Estimation of the number of employees covered (WCB) derived from survey data**

Country	Survey	Frequency	Universe	Respondent	Question(s) asked and possible answers	Estimation
Canada	Labour Force Survey <sup>1</sup>	Monthly	Employees in their main job (excl. incorporated self-employed) <sup>2,3</sup>	Individual employee	- Is he/she a union member at his/her job [at name of employer]? <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No (If yes, skip next question) - Is he/she covered by a union contract or collective agreement? <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No	Weighted number of employees members of a trade union or covered by a union contract or collective agreement
New Zealand	Household Labour Force Survey	Quarterly	Paid employees in their main job	Individual employee	Type of employment agreement (single answer) <input type="checkbox"/> <b>Collective agreement</b> <input type="checkbox"/> Individual agreement <input type="checkbox"/> No agreement	Weighted number of employees covered by a collective agreement
South Africa	Quarterly Labour Force Survey	Quarterly	Employees in their main job	Individual employee	How is the annual salary increment negotiated? (single answer) <input type="checkbox"/> Individual and employer <input type="checkbox"/> <b>Union and employer</b> <input type="checkbox"/> <b>Bargaining council</b> <input type="checkbox"/> Employer only <input type="checkbox"/> No regular increment <input type="checkbox"/> Other	Weighted number of employees for which pay increased are negotiated by union and employer or bargaining councils
United States	Current Population Survey	Monthly	Employees in their main job (excl. incorporated self-employed) <sup>2,3</sup>	Individual employee	On this job, (are/is) (name/you) a member of a labor union or of an employee association similar to a union? <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No (If yes, skip next question) On this job, (are/is) (name/you) covered by a union or employee association contract? <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> No	Weighted number of employees members of a labor union (or of an employee association similar to a union) or covered by a union or employee association contract

Note: In **bold**, answers related to collective bargaining. OMIE: Owner manager of Incorporated Enterprise.

1. The Canadian LFS covers only the 11 provinces (territories are excluded).

2. For Canada and the United States, question on union coverage is not asked to the incorporated self-employed.

3. The information on collective bargaining coverage for Canada and the United States are compiled only for those employees who are not affiliated to a union, which presupposes that all employees' members of a union are indeed covered by a collective agreement (i.e., that all unions took part in negotiations and signed agreements).

For four countries (Albania, Cyprus, Japan, and Korea), the number of employees covered (**WCB**) cannot be derived either from registered collective agreements or survey data (Table 3) and is based on experts'

estimates. For Cyprus, Japan, and Korea, due to policies or institutional features that do not allow to extend or apply agreements beyond union membership, estimations follow the number of unionised employees (Cyprus) or just below as in Japan (as extension is possible but rare and application of “*erga omnes*”<sup>9</sup> within the establishment is not always assured) or slightly adjusted upwards for sectoral bargaining occurring in a few sectors (banking or health sectors for example) in Korea. In Albania, the number of employees covered by collective agreements in force (**WCB**) is based on estimations by Dr. Nikoll Doci derived on information collected through trade unions and administrative collective agreements registered by the Ministry of Finance and Economy.

### ***Number of employees (WSEE)***

**WSEE** measures the total number of employees. This indicator, although secondary in the estimation of the collective bargaining coverage rate (**AdjCov**), is key to ensuring international comparability and monitoring the development of collective bargaining over time for a given country. It is therefore important to ensure, as far as possible, that the measurement of the number of employees is consistent across countries and over time. Table 5 summarises the main feature of the series on the number of employees (**WSEE**) that are discussed in this section.

**Table 5. Main characteristics of series on the number of employees (WSEE)**

Country	Employment concept	Armed forces included	Workers included in the international definition of employees (ICSE-93)	Geographic exclusion	Age coverage	
Albania Chile Costa Rica Cyprus Czech Rep.	Japan Latvia Lithuania Poland South Africa	National	Yes	-	No	15 and over
Switzerland	Domestic	Yes	-	No	15 and over	
Canada	National	No	Incorporated self-employed	Yes	15 and over	
United States	National	No	Incorporated self-employed	Yes	16 and over	
Korea Mexico	New Zealand Türkiye	National	No	-	No	15 and over
Hungary	National	Yes	-	No	15-74	
Spain	National	Yes	-	No	16 and over	
Argentina	National	Yes	-	Yes	15 and over	
Portugal	National	Yes	-	Yes	16-89	

Note: For further details see Annex Table A.3.

In the OECD/AIAS ICTWSS database, statistics on the number of employees (**WSEE**) are mainly derived from labour force surveys published by national statistical offices and collected by international organisations (see Annex Table A.3). These surveys cover generally individuals aged 15 or more living in private households and residing on the national territory. It should be noted that this definition of the scope of the survey (private household versus collective household, persons temporary present in the household, etc) may vary from survey to survey and from country to country. But as it is beyond the scope of this paper

<sup>9</sup> In labour law, the term refers to the extension of agreements for all workers, not only for members of signatory unions. In Japan, Article 17 of the Labor Union Act of 1949 stated that: “When three-fourths or more of the workers of the same kind regularly employed in a particular factory or workplace come under application of a particular collective agreement, the agreement also applies to the remaining workers of the same kind employed in the factory or the workplace.”

to discuss the national divergences about the exact scope of these surveys and we refer for further information to the OECD documentation on employment statistics ([Labour force statistics in OECD countries: sources, coverage and definitions](#)).

However, labour force surveys refer only to the resident population and therefore to the employees residing in that country whatever their place of work (in or out of the country considered). In general, cross-border workers accounts for a small proportion of total employees with the notable exceptions of Switzerland representing about 8.5% of employees in 2021, working in this country and residing in another countries. Therefore for Switzerland, national accounts data are used instead with the number of employees referring to the domestic concept (i.e., the number of employees actually working in this country).

It should be also noted some minor differences in the age groups used in these surveys (see Annex table A.3) which have little impact on the comparability of the series on the number of employees (**WSEE**).

The concept of employment used in Labour Force Surveys broadly reflects the ILO international definition<sup>10</sup> and therefore includes both formal and informal workers, i.e., regardless of the legal status of their employment situation, their situation regarding national labour legislation, etc. Also, the definition of employee refers to the international definition according to the ILO ICSE-93 classification<sup>11</sup>.

However, this definition, although precise, can sometimes, be subject to different views on whether workers can be classified as in paid employment or as in self-employment. This is the case for the incorporated self-employed<sup>12</sup> who are in Canada and the United States considered as self-employed as opposed to wage and salary earners. Indeed, as these workers “receive part of their remuneration in a way similar to persons in paid employment”, they can be classified as employees, but in terms of “their authority in and responsibility for the enterprise” they should also be considered as self-employed (own-account workers or employers depending on whether they have employees). From an international perspective, the statistics on the number of employees published by international organisations (as the OECD and the ILO) include these workers as employees, thus emphasising the criterion of remuneration over the criterion of responsibility and authority in relation to the organisation employing them.

While employees are defined with the same definition across countries as previously described, it should be noted divergences related to the treatment of the armed forces across countries. In eight countries covered by the OECD/AIAS ICTWSS database, the armed forces are not included in salaried employment data (Argentina, Canada, Chile, Korea, Mexico, New Zealand, Türkiye and the United States). However, this group generally represents less than 1% of the total number of employees and therefore have a marginal impact on the comparability of the coverage rate between countries.

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<sup>10</sup> Employment comprises all persons of working age who, during a short reference period (one week), were engaged in any activity to produce goods or provide services for pay or profit.

<sup>11</sup> “Employees are all those workers who hold the type of job defined as ‘paid employment jobs’ where the incumbents hold explicit (written or oral) or implicit employment contracts which give them a basic remuneration which is not directly dependent upon the revenue of the unit for which they work (this unit can be a corporation, a non-profit institution, a government unit or a household). Some or all of the tools, capital equipment, information systems and/or premises used by the incumbents may be owned by others, and the incumbents may work under direct supervision of, or according to strict guidelines set by the owner(s) or persons in the owners’ employment. (Persons in ‘paid employment jobs’ are typically remunerated by wages and salaries, but may be paid by commission from sales, by piece-rates, bonuses or in-kind payments such as food, housing or training)”.

<sup>12</sup> The ILO ICSE-93 defined those workers as : “workers who hold a job in an incorporated enterprise, in which they:(a) alone, or together with other members of their families or one or a few partners, hold controlling ownership of the enterprise; and (b) have the authority to act on its behalf as regards contracts with other organizations and the hiring and dismissal of persons in “paid employment” with the same organisation, subject only to national legislation regulating such matters and the rules established by the elected or appointed board of the organisation.”

Beyond issues related to the scope and definition of the series on employees, some imputations have been applied, where possible, to minimise breaks in series due to changes in the geographical coverage of labour force surveys or changes in the structure of these surveys. These imputations mainly concern Chile and Portugal: in the case of Chile, employee series based on the 2017 Census population were chained with previous series based on the 1986 and 2009 Census population data; and for Portugal, as the statistics on employees covered by a collective agreement in force (**WCB**) excludes the two autonomous regions of Azores and Madeira, the number of employees has been adjusted accordingly.

Finally, statistics on the number of employees (**WSEE**) are not always available for the entire period covered by the OECD/AIAS ICTWSS database, and then secondary series have been used to obtain long-time series (for more details, see Annex Table A.3)

***Employees covered by statutory regulation and/or excluded from collective bargaining as stated by law or national regulations (Wstat)***

**Wstat** measures the number of employees covered by statutory regulation and/or excluded from collective bargaining as stated by law or national regulations. This means that those employees who are barred from bargaining but not covered by another instrument (in the United States, for instance, managers and executives in the private sector are legally excluded from collective bargaining through union representation) are still accounted for in the denominator of adjusted bargaining coverage. In general, the groups covered by statutory regulation and excluded from collective bargaining as stated by law or national regulations are civil servants and public sector employees or specific categories of public sector employees (police, armed forces, teachers in some countries).

According to existing information on collective bargaining legislation ([IRLEX](#) or [CEELEX](#)), there are no major exclusion from collective bargaining in 19 countries (first column in Table 6). The Russian Federation and Serbia are classified in this group but only due to lack of reliable information on exclusions from collective bargaining. While, no major exclusion applied for these countries, it should be noted that for four of them (Albania, Italy, South Africa, and the United Kingdom), armed forces are formally excluded from collective bargaining. However, in South Africa, due to the scope of the Quarterly Labour Force Survey (Annex Table A.3) which already excludes armed forces, no further adjustment is needed. In the case of Italy, this adjustment would have no impact because the coverage rate (**AdjCov**) is derived from an experts' estimate based on the legislation and case law. In Albania and the United Kingdom, armed forces represent a marginal proportion of total employees<sup>13</sup> that can be not accounted for due to its marginal impact on the overall coverage rate (**AdjCov**).

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<sup>13</sup> 1.14% in Albania and 0.32% in the United Kingdom in average in 2010-21.



**Table 6. Main exclusions among employees<sup>1</sup> from collective bargaining (*Wstat*) and their estimation**

Quality of estimation	No or minor exclusions		Existing and documented exclusions, <i>of which:</i>				Uncertainty about exclusions
			Incorporated self-employed <sup>2</sup>	Public sector employees	All civil servants	Specific categories of civil servants	
No reliable estimate (not accounted for in the OECD/AIAS ICTWSS database)	Albania† Bosnia and Herzegovina Costa Rica Croatia Estonia* Finland Iceland Ireland Israel	Italy† Luxembourg Malta Netherlands New Zealand North Macedonia Norway Russian Fed. Serbia Sweden		-	-	Australia <sup>4</sup>	Argentina Brazil Bulgaria† China Colombia Cyprus Hungary† Indonesia Latvia† Mexico Romania† Slovak Republic†
Reliable estimation	Not applicable		Canada United States†	Austria Chile France† Portugal* <sup>3</sup>	Belgium Denmark Germany Lithuania* Spain Switzerland Türkiye	Korea	Not applicable
Estimation to be improved	Not applicable		-	Czech Republic Greece	-	Japan† Poland	Not applicable

Note: \*: Revised data (OECD/AIAS ICTWSS version 1.1). †: According to IRLEX, armed forces are excluded from collective bargaining. Coverage rates are missing for India, Kosovo, and Montenegro.

- Employee refers to the international definition according to the ILO ICSE-93 classification.
- Incorporated self-employed in Canada and the United States fall outside of the national common law definition of an employee and cannot therefore be strictly considered as employees who are excluded from collective bargaining (*Wstat*). These workers are considered solely for the sake of consistency and international comparability between the measurement of the unadjusted coverage rate (*UnadjCov*) and the adjusted coverage rate (*AdjCov*). Whereas the adjusted rate is measured in terms of the total number of employees with the right to collectively bargain, the unadjusted rate refers to the total number of employees according to the international definition (ISCE-93) which includes these workers for these two countries.
- Since 2009, public administration employees have the right to collectively bargain. However, contrary to the private sector, the possible topics to be negotiated are limited (mainly working hour arrangements and working conditions excluding wages) and collective agreements are set by government mandate.
- High-level state functionaries and employees not working for employers covered and bound by the national workplace relations laws or a "national system employer" in Australia are excluded (See Annex Table A.2). These exclusions are already accounted for in the adjusted coverage rate (*AdjCov*).

Armed forces are also excluded from collective bargaining in Bulgaria, France, Hungary, Latvia, Romania, the Slovak Republic, Spain, and the United States (Table 6). As previously noted, armed forces represent a small proportion of employees that can be ignored due to its insignificant effect on the coverage rate (*AdjCov*). Moreover, as for South Africa, armed forces are excluded from the scope of the Current population Survey (CPS) used for the estimation of the coverage rate (*AdjCov*) for the United States and therefore no further adjustment is needed. The same reason as for Italy, applies to France because the coverage rate (*AdjCov*) is derived from an experts' estimate that includes de facto employees excluded from collective bargaining.

For 18 countries, exclusions from collective bargaining have been identified and estimated (Table 6). In Canada and the United States, exclusions (*Wstat*) accounted for the adjusted coverage rate (*AdjCov*)



relate mainly to the incorporated self-employed but should not be considered as formal exclusions from collective bargaining but as a technical adjustment between the international definition of employees and the national common law definition of an employee in these countries.

In Austria, Chile, the Czech Republic, France, and Greece, public sector/administration employees are legally excluded from collective bargaining. In Portugal, since 2009, with the introduction of collective bargaining rights, public administration employees are not strictly speaking excluded but as collective bargaining are largely set by government mandate, these employees are not included in the estimated adjusted coverage rate (**AdjCov**). For these countries, the number of employees excluded have been estimated using administrative data for Austria and Portugal, labour force survey data for Chile, employees working in the public administration, defence and compulsory social security (section O of the ISIC Rev.4) from the OECD Annual Labour Force Statistics (ALFS) for the Czech Republic and the OECD annual national accounts data (general government employment) for Greece. Due to the estimation method of the coverage rate (**AdjCov**) in France (i.e., experts' estimate), the estimation of the public sector employees is not currently published in the OECD/AIAS Database.

Not all public sector employees are necessarily excluded from collective bargaining, and this exclusion only concerns civil servants, who are usually subject to specific regulations in seven countries (Belgium, Denmark, Germany, Lithuania, Spain, Switzerland and Türkiye). The number of civil servants for almost all these countries is derived from statistics published by the national public administrations. For Switzerland, an estimate based on employment survey data was made using the methodology proposed by D. Oesch (2007) and validated by the national authorities.

Finally, for three countries (Japan, Korea, and Poland), the exclusions are only for specific groups of public sector employees. In the case of Korea, exclusions refer to high-ranking civil servants defined as those with no right to be unionised estimated from union statistics published by the Ministry of Employment and Labor (MOEL). In Japan, those exclusions refer to high-ranking civil servants and teachers for which no direct statistics are available, that's why the estimation is based on the number of white-collar employees in the public administration and the number of teachers in the education from the Labour Force Survey data<sup>14</sup>. The scope of collective bargaining exclusions in Poland is highly complex (see Annex Table A.2), and in the absence of an accurate estimate of the number of such exclusions, the number of employees excluded are estimated by those working in the public administration, defence, and compulsory social security sector (section O of ISIC Rev. 4) which as a consequence may lead to an overestimation of adjusted collective bargaining coverage by overestimating the employees excluded from collective bargaining.

In Australia, high-level state functionaries and employees not working for employers covered and bound by the national workplace relations laws or a "national system employer" are excluded from collective bargaining and Modern Awards<sup>15</sup>. These exclusions are already accounted for in the statistics on the method of setting pay from the Employment, Earnings and Hours survey (EEH) from which is derived the adjusted coverage rate (**AdjCov**).

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<sup>14</sup> These exclusions are based on expert assessment (See Annex Table A.2) and should be revised for the next release of the OECD/AIAS/ICTWSS database.

<sup>15</sup> In Australia, "national systems employee" refers to employees under the legal framework on collective bargaining of the 2009 Fair Work Act (FWA) which are individuals employed by an employer covered and bound by the national workplace relations laws or a "national system employer". This definition narrows the common law definition of an employee by generally excluding (unless the employer has a registered agreement in the national system): the Western Australian state public sector and non-constitutional corporations, in either local government or private industry in the state; the state public sector and local government in New South Wales, Queensland and South Australia; and the state public sector in Tasmania. For further details on exclusions, see the Fair Work Commission, *What is a National System Employer?*, <https://www.fwc.gov.au/what-national-system-employer>

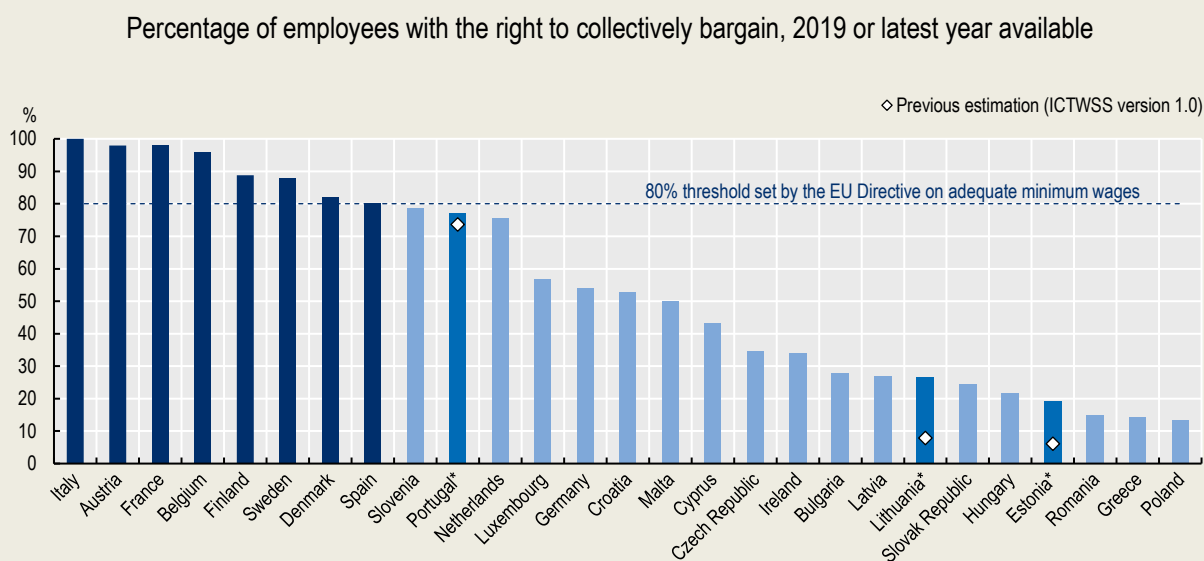
For the remaining 12 countries (Table 6), there is still uncertainty about the existence of exclusions from collective bargaining, or difficulties were encountered in estimating the extent of such exclusions when they were known. For this reason, no further adjustment was made to the coverage rates (**AdjCov**) in the version 1.0 of the OECD/AIAS ICTWSS database for these countries.

In the case of countries for which the coverage rate is derived from the ILO's IRdata database (Brazil, China, Colombia, and Indonesia), the data are published as unadjusted for exclusions from collective bargaining but due to the lack of reliable data available it was not possible to adjust these rates. For Argentina and Mexico, the exclusions in the legislation (see Annex Table A.2) are complex and difficult to translate into statistics, so the rates have not been adjusted. In the case of Bulgaria, Cyprus, Hungary, Latvia, Romania, and the Slovak Republic, the existing information on possible exclusions is not sufficiently clear to adjust the coverage rates with certainty.

### Box 1. A focus on EU countries

According to the latest available collective bargaining coverage rates in the OECD/AIAS ICTWSS database (version 1.1), only 8 of the 27 EU countries are above the 80% threshold set by the EU Directive on adequate minimum wages (Figure 1) which triggers the obligation for EU member states to “establish an action plan to promote collective bargaining to progressively increase the collective bargaining coverage rate”. Since the launch of the database in 2021, the estimation of the coverage rates (**AdjCov**) for three countries (Estonia, Lithuania, and Portugal) have been revised upwards following extensive discussions with the national authorities (see next section).

Figure 1. Collective bargaining coverage rate (**AdjCov**) in EU countries



Note: **2014** for Croatia; **2015** for the Slovak Republic; **2016** for Cyprus and Malta; **2017** for Finland, Greece, Ireland, Romania, and Slovenia; **2018** for Bulgaria, Denmark, France, Germany, Latvia, Luxembourg, Portugal, Spain, and Sweden (employees aged 15-74); and **2021** for Estonia, Lithuania, and Portugal. Revised data for Estonia, Lithuania, and Portugal. The revised estimation for Estonia and Lithuania has been validated by the National Authorities. Statistics for Portugal has been revised upward for the exclusion of Madeira and Azores in the denominator (number of employees). For further details about revisions see Source: OECD/AIAS ICTWSS database version 1.1 (April 2023).

The estimation of the coverage rate (**AdjCov**) is based on the number of employees covered by a collective agreement in force (**WCB**) derived from administrative records of collective agreements for seven EU countries: the Czech Republic, Hungary, Lithuania, the Netherlands, Poland, Portugal, and Spain. These figures are then expressed as a percentage of the total number of employees (**WSEE**), adjusted for employees excluded from bargaining and/or with wages set by government mandate (**Wstat**), generally civil servants or public sector employees (Annex Table A.2).

For most of these countries, all types of collective agreements are covered and therefore the coverage rate (**AdjCov**) describes accurately the extent of the collective bargaining. Yet, the coverage rate for the Czech Republic and Poland is derived on the number of employees covered (**WCB**) only by firm-level collective agreements. However, this limitation has a limited impact on the coverage rate either because sector-level collective agreements generally overlap with firm-level collective agreements and are mostly non-wage agreements (Czech Republic), or because sector-level agreements represent few employees (Poland). Nevertheless, in the Czech Republic, the number of employees covered (**WCB**) is derived from

statistics on concluded collective agreements from the most predominant trade union confederation ČMKOS, which probably results in a downward bias in the coverage rate (**AdjCov**).

In Denmark, Finland, and Sweden, where coverage rates (**AdjCov**) are already published and recognised as official, no further adjustments are made. These estimates are all representative of the entire economy either they derived from the analysis of comprehensive administrative records of collective agreements conducted by the Ministry of Labour (Finland), the Danish Employer Confederation or DA (Denmark) or by experts based on statistics from social partners and the Mediation Office (Sweden).

For four EU countries (Austria, Belgium, France, and Italy), coverage rates (**AdjCov**) are not derived from a direct measure of the extent of collective agreements among employees (**WCB**) or from official coverage rates (**AdjCov**) but based on the interpretation of the collective bargaining legislation (and case law) which led most of the time to consider a coverage rate close to 100%.

In some countries, where the number of employees covered (**WCB**) cannot be derived from administrative records of collective agreements or where no official coverage rates (**AdjCov**) are published, the coverage rate (**AdjCov**) is derived from employer survey data. In Germany, comprehensive estimations are published by the Wirtschafts- und Sozialwissenschaftliches Institut (WSI) based on the IAB Establishment Panel covering all employees in all sectors. In Estonia (see also section on the revision for this country), the coverage rate is derived from the Estonian Working Life Survey which is not totally representative of the entire economy due to the exclusion of small companies with less than five employees. Finally, in three EU countries (Bulgaria, Latvia, and Luxembourg), coverage rates (**AdjCov**) are based on the National Structure of Earnings Survey (SES) with significant limitations in terms of sectoral coverage and firm size and in the way how the number of employees covered (**WCB**) is measured (more than 50% of employees covered in local unit by such an agreement).

For the remaining eight EU countries (Croatia, Cyprus, Greece, Ireland, Malta, Romania, the Slovak Republic, and Slovenia), coverage rates (**AdjCov**) are based on various estimates from national experts (see Annex Table A.1 for further details) and may be subject to some inaccuracies that in the absence of additional information cannot be fully accounted for.

## Revisions of the OECD/AIAS ICTWSS database (version 1.1)

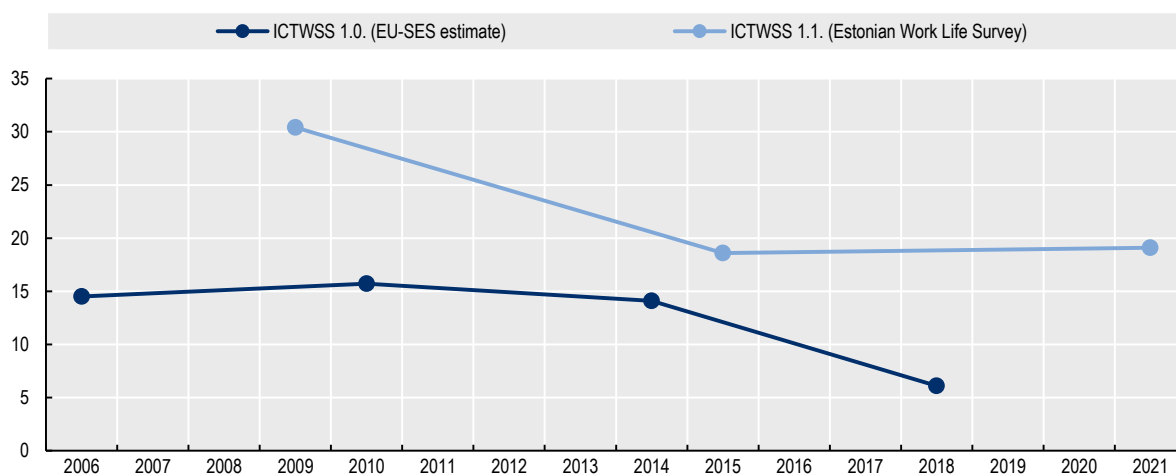
Compared to version 1.0 of the OECD/AIAS ICTWSS database released in February 2021, in the current version (1.1) the estimates of collective bargaining coverage have been revised for Estonia, Lithuania and Portugal.

### *Estonia*

The Ministry of Social Affairs advised against the use of SES data for the estimation of the coverage rate in Estonia and pointed out that no exclusions from collective bargaining applied in the [Collective Agreements Act](#) even prior to 2013. Therefore, the coverage rate in Estonia is revised based on the Estonian Working Life Survey (see [Table TKU64](#)) and the share of employees excluded from collective bargaining (**Wstat**) ignored (Figure 2).

**Figure 2. Main revisions of the collective bargaining coverage rate in Estonia**

Adjusted collective bargaining coverage rate as a percentage of employees with the right to collectively bargain



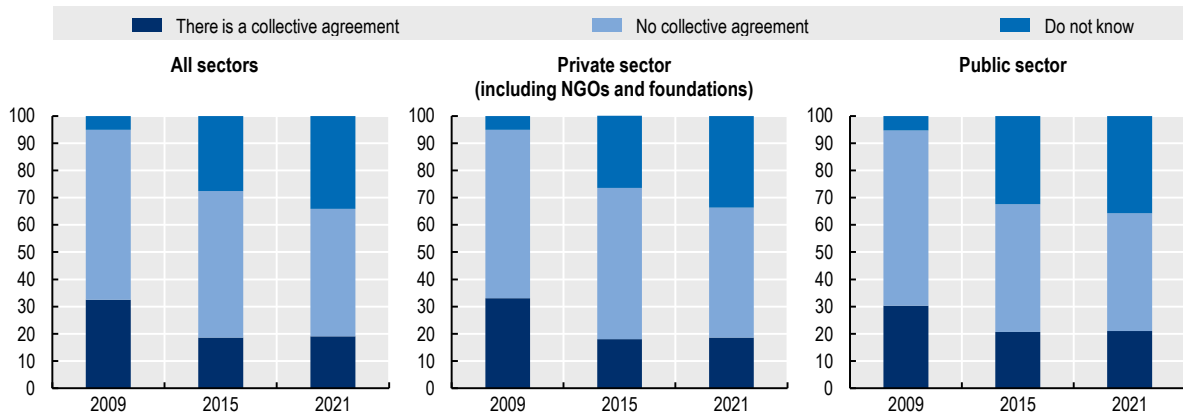
In the absence of comprehensive statistics based on registered collective agreements to derive and estimate the coverage rate in Estonia, the Estonian Working Life Survey is the only reliable data source available for that purpose. Indeed, while collective agreements are required to be registered in a national database (Collective agreements database: <https://klak.sm.ee/>), some companies are reluctant to provide the information and statistics that can be derived from this database are not exhaustive.

The coverage rate, based on this survey, is derived from the proportion of employees for which their working conditions are determined by collective agreements (*“Are your working conditions also determined by the collective agreement?”*) excluding the national collective agreement on minimum wage. It should be noted that the national agreement on minimum wage is not included in this indicator without prejudice to the legal validity of this agreement as collective agreement and for the reasons explained above.

Some measurement issues may affect the accuracy of the indicator. Indeed, this survey excludes small firms with less than five employees and thus the coverage rate is not fully representative of the entire economy. It is not possible to know to what extent this affects the overall coverage rate, although the proportion of employees covered by a collective agreement is likely to be more limited than in the companies covered by the survey. Moreover, a significant and increasing proportion of employees “don’t know” whether there is a collective agreement in force (Figure 3). This survey also does not identify whether collective agreements are signed by a trade union or by an authorised representative of the employees. However, the [Collective Agreements Act](#) (see Article 3) allows elected employee representatives to undertake collective bargaining, where there is no union present and where there are no union members at the workplace.

**Figure 3. Responses to the Estonian Working Life Surveys**

Percentage of employees working in establishments with five or more employees



Note: Responses to the question: "Are your working conditions also determined by the collective agreement (except the national minimum wage)?"

Source: Estonian Working Life Surveys.

### **Lithuania**

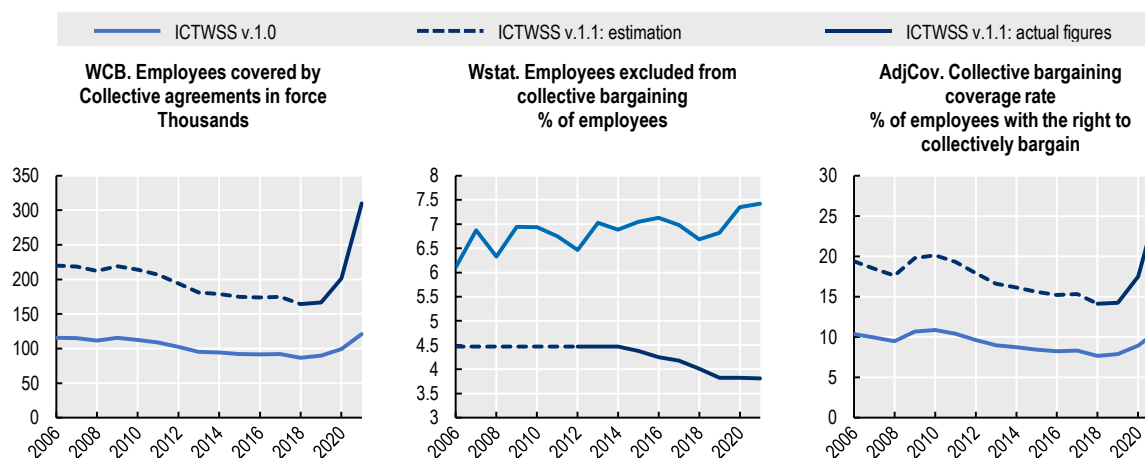
In the previous version of the OECD/AIAS ICTWSS database, the coverage rate was estimated by the trade union density adjusted for the exclusion of civil servants from collectively bargain (the terms and conditions of employment of civil servants are subject to collective bargaining but regulated by the government). In doing so, this indicator did not provide an accurate measure of coverage, but only a lower bound on the extent of collective bargaining in Lithuania.

However, since July 1, 2017, the [Labour Code](#) requires that all collective agreements (including workplace-level collective agreements) be registered with the Ministry of Social Security and Labour and made public in accordance with the government's prescribed procedure, including the number of employees covered (see the national register of collective agreements: <https://socmin.lrv.lt/lt/paslaugos/administracines-paslaugos/kolektyviniu-sutarciu-registras-ir-kolektyviniu-sutarciu-registravimo-tvarka>). Thus, since the year 2019, it is possible to have a comprehensive estimate of the number of employees covered by collective bargaining agreements (**WCB**). It should be noted that since 2017, only trade unions have the exclusive right to conclude collective agreements (as stipulated in the article 165 of the [Labour Code](#)).

On the other hand, the exclusion from collective bargaining does not apply to all public sector employees, but only to certain categories of civil servants as covered by the law on the Civil Service (see: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/7c2993b22a7211eb8c97e01ffe050e1c>). Therefore, the estimate of the number of employees excluded from collective bargaining and/or whose wages are set by government mandate (**Wstat**) by the number of employees in the public administration, defence and compulsory social security sector was slightly overestimated. For this reason, this estimate was revised and replaced with national administrative statistics on the number of civil servants governed by the law on the Civil Service provided by the Ministry of Social Security and Labour.

All these revisions imply an upward revision of the coverage rate from 11% in 2021 with the previous methodology to 27% (Figure 4), largely due to the revision of the number of employees covered (and a significant increase in the number of workers covered in the public sector since 2021).

Figure 4. Main revisions of the collective bargaining coverage rates in Lithuania



Note: The number of employees covered by collective agreements increased significantly in 2021 and grew every year as the Government and national trade union organisations negotiated and signed a national collective agreement for the public sector that applies to trade union members who have signed this agreement. During the negotiations, there was a significant increase in the number of members of trade union organisations. The currently valid national collective agreement will be valid until 2025.

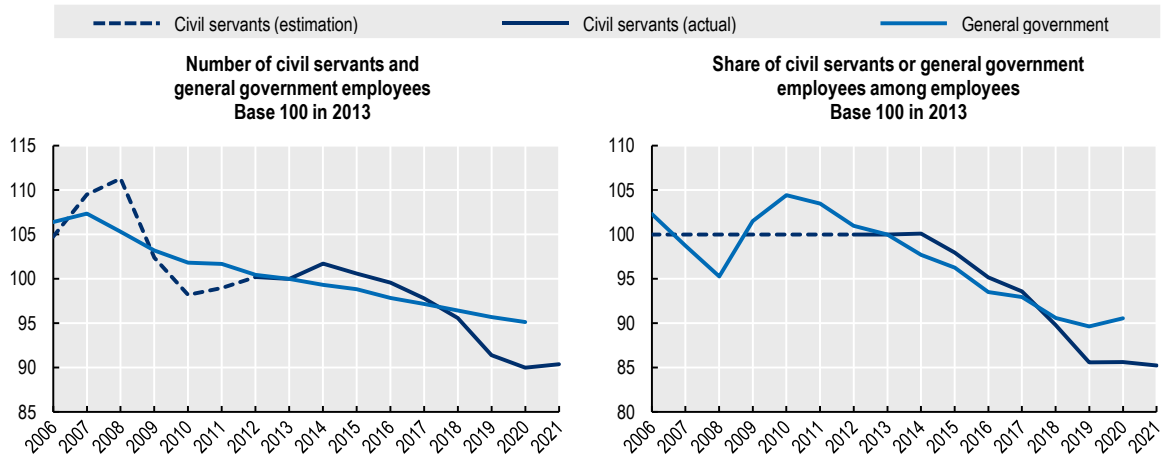
However, in the absence of estimates from the register of collective agreements before 2019, the coverage rate estimated with the previous methodology implies a significant break in series (Figure 4). To reconcile the two series, the number of employees covered, estimated before 2019 by the number of unionised employees, is revised upwards by applying the ratio of the actual number of employees covered by collective agreements in force to the number of unionised employees in 2019.

This correction, although imprecise, can be interpreted as the average effect of the extension of collective agreements to all workers (not only for members of signatories' unions) in companies that are signatories to the collective agreement. Indeed, prior to 2017 with the introduction of the new [Labour Code](#), collective agreements applied automatically to all the employees of the organisation which had signed the agreement. Since the new [Labour Code](#) of 2017, this extension is only possible at the employer level, provided that the trade union and the employer agree that the collective agreement can be extended to all employees of that employer and this agreement is approved by a general meeting of the employer's employees. Branch, territorial and national level collective agreements cannot be extended to all employees and apply only to the members of trade union organisations that have signed these agreements and their lower-level trade unions. However, in practice, agreement provisions are generally applicable to all employees within the workplaces covered

Since the number of unionised employees has been published by Statistics Lithuania since 2006, the estimated coverage rate does not go back beyond that year. This is because the number of unionized employees prior to that date is based on expert estimates that may be inaccurate, and because the proposed adjustment of the collective agreement to cover all employees of the signatory company cannot reasonably be assumed to be constant over such a too long period.

Similarly, the series of the number of civil servants used to estimate the share of employees excluded from collective bargaining (**Wstat**) is only available since the year 2013. In the absence of reliable administrative data to complete this series (which will be the subject of further research), it is assumed that this share in 2006-12 remains constant as that found in 2013. Although this assumption is debatable, a comparison with national accounts data on the evolution of public employment (general government employment) over the period 2006-21 shows, on average, a similar trend in the number of civil servants and their share in salaried employment (Figure 5).

Figure 5. Public sector employment and civil servants in Lithuania

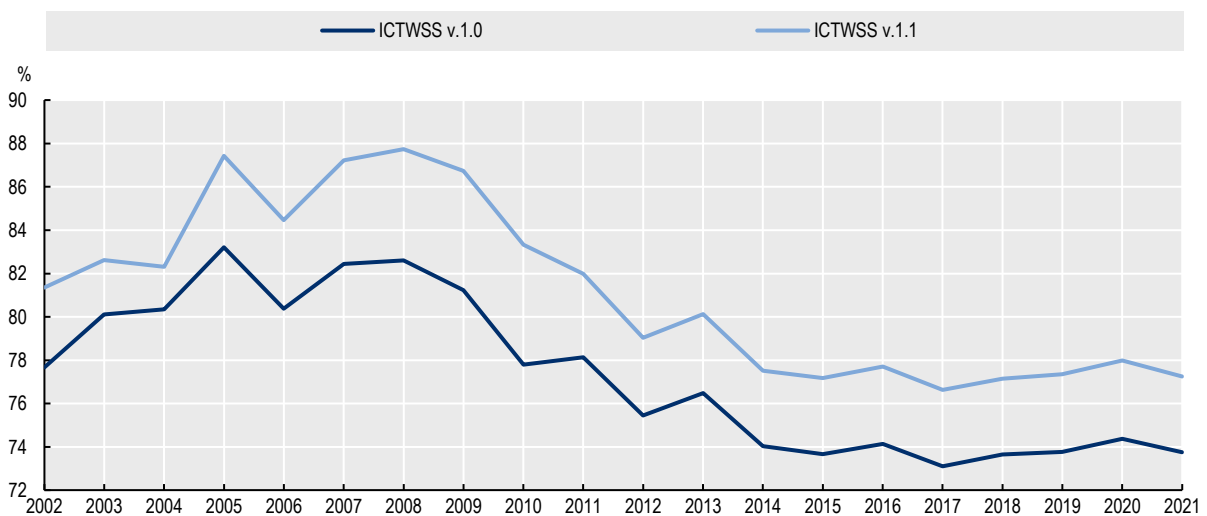


### Portugal

The statistics on the number of employees covered by collective agreements in force (**WCB**) currently published by the *Gabinete de Estratégia e Planeamento* (GEP) and derived from the *Quadros de Pessoal* cover only Portugal mainland excluding employees working in the two autonomous regions of Azores and Madeira. Indeed, statistics on the number of employees covered (**WCB**) in these two regions are based on similar but distinct surveys managed by the statistical offices of these two autonomous regions and are not included in the figures published by the GEP.

In the previous version of the database, the coverage rate (**AdjCov**) was estimated by relating these figures to the number of employees (**WSEE**) from the labour force survey for the whole of Portugal (including the Azores and Madeira). Similarly, the adjustment for public administration employees excluded from collective bargaining (**Wstat**), which is estimated with administrative records of public employment from the *Direção-Geral da Administração e do Emprego Público* (DGAEP) also covers these two autonomous regions. The coverage rate (**AdjCov**) for Portugal was therefore underestimated. By adjusting figures for these two regions, the coverage rate is revised upward (Figure 6).

Figure 6. Main revisions of the collective bargaining coverage rate in Portugal





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## Annex A. Detailed information

**Table A.1. Overview of data sources and estimations of the adjusted collective bargaining coverage rate**

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
Albania	Analysis of registered CAs	N. Doçi (based on registered CAs)	Number of employees covered by CAs (Administrative data, Trade Unions, data processed by author)	No exclusion	WCB/(WSEE-Wstat)
Argentina	Analysis of registered CAs	Ministry of Labour, Employment and Social Security (MTEySS)	Number of employees covered by CAs	No reliable data Note: See Annex Table A.2.	WCB/WSEE Note: Not adjusted because some uncertainty about Wstat.
Australia	Derived from business survey data published	ABS, Employment Earnings and Hours Survey	Number of employees who have their pay set by a CA, award or pay scale in their main job	No reliable data Note: See Annex Table A.2.	Estimate published by ABS
Austria	Expert judgement	Prof. Jelle Visser	Not applicable	Public sector employees	Derived from compulsory membership in the WKÖ for signatory enterprises in the private sector except for some occupations (managers, church etc.).
Belgium	Expert judgement	Prof. Jelle Visser	Not applicable	State functionaries	Expert's estimates set at 96%
Bosnia and Herzegovina	Expert judgement	Eurofound (2012), Bosnia and Herzegovina: Industrial relations profile	Not applicable	No exclusion	Estimate published by Eurofound

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
Brazil	External	ILO, Industrial Relations data based on PNAD data	Not applicable	No exclusion because no reliable data Note: See Annex Table A.2.	Estimate published by the ILO (% of employees excluding domestic workers) Note: Coverage rate not fully adjusted for employees with no right to collectively bargain.
Bulgaria	Derived from Structure of Earnings Survey	Eurostat, Structure of Earnings Survey	Not applicable	No exclusion (to be discussed/corrected) Note: See Annex Table A.2.	Share of employees with a collective pay agreement working in all firms (all industries, sections B-S of the NACE)
Canada	Derived from LFS data published	StatCan, Union coverage (LFS)	Number of employees member of a union or covered by a union contract of CA	Incorporated self-employed <sup>1</sup>	WCB/(WSEE-Wstat)
Chile	Analysis of registered CAs	Ministry of Labour, Labour Directorate	Number of employees covered by CAs	Public sector employees	WCB/(WSEE-Wstat)
China	External	ILO, Industrial Relations data	Not applicable	Civil servants but no reliable data Note: See Annex Table A.2.	Estimate published by the ILO Note: Coverage rate not adjusted for employees with no right to collectively bargain.
Colombia	External	ILO, ILOSTAT	Not applicable	Public sector employees but no reliable data Note: See Annex Table A.2.	Published estimate by the ILO Note: Coverage rate not adjusted for employees with no right to collectively bargain.
Costa Rica	Analysis of registered CAs	Ministry of Labour and Social Security (MTSS)	Number of employees covered by CAs	No exclusion	WCB/(WSEE-Wstat)
Croatia	Analysis of registered CAs	D. Bagić (based on registered CAs)	Not applicable	No exclusion	Published estimate by D. Bagić
Cyprus	Derived from trade union membership figures (Expert judgment)	Prof. Jelle Visser based on data from the Trade Union Registrar (Ministry of Labour, Welfare and Social Insurance)	Number of employees covered by CAs estimated as equals to the net union membership Note: There are no policies or institutional features that allow to extend or apply agreements beyond union membership (Ioannou and Sonan, 2019).	No exclusion (to be discussed/corrected) Note: See Annex Table A.2.	WCB/(WSEE-Wstat)

Country	Type of estimation	Main data source (otherwise indicated)	WCB Number of employees covered by CA in force	Wstat Employees excluded from bargaining	AdjCov Adjusted CB coverage rate
Czech Rep.	Analysis of registered Cas	Czech-Moravian Confederation of Trade Unions (ČMKOS)	Number of employees covered by single-employer CAs signed by the ČMKOS and its affiliates Note: Higher-level CAs are mostly non-wage agreements which double with company agreements	Public sector employees Note: See Annex Table A.2.	WCB/(WSEE-Wstat)
Denmark	Analysis of registered CAs	Danish Employer (DA)	Not applicable	Civil servants	Published estimate by DA
Estonia*	Derived from Work Life Survey data published	Statistics Estonia, Estonian Work Life Survey	Not applicable	No exclusion	Published estimate by Statistics Estonia
Finland	Analysis of registered CAs	Lasse Ahtianen for the Ministry of Economic Affairs and Employment	Not applicable	No exclusion	Published estimate by Lasse Ahtianen
France	Analysis of registered CAs + Expert judgement	Ministry of Labour, Employment and Inclusion, DARES + Prof. Jelle Visser	Not applicable	Not applicable	Share of employees covered by sectoral CAs and estimated coverage by Prof. Jelle Visser for agricultural branches, temporary work agency branches and semi-public companies which are not included in the data published by the DARES.
Germany	Derived from Establishment panel data	Estimates published by the WSI based on the IAB Establishment Panel	Not applicable	Civil servants ("Beamten")	Published estimate by the WSI excluding civil servants
Greece	Expert judgement	Katsaroumpas and Koukiadaki (2019)	Not applicable	Civil servants	Estimate based on the size of the few industries and occupational agreement and the small share of company agreements in the (former) state sector
Hungary	Analysis of registered CAs	Institute of Economics, Centre for Economic and Regional Studies	Number of employees covered by single employer CAs and multi- employer CAs (possible overlap)	No exclusion (to be discussed/corrected) Note: See Annex Table A.2.	WCB/(WSEE-Wstat)
Iceland	Expert judgement	Prof. Jelle Visser	Not applicable	No exclusion	Estimate based on high organisation rates of both employers and unions and the use of extension orders.

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
Indonesia	External	ILO, Industrial Relations data	Not applicable	Employees in SMEs (less than 10 employees) but no reliable data Note: See Annex Table A.2.	Estimate published by the ILO Note: Coverage rate not adjusted for employees with no right to collectively bargain
Ireland	Expert judgement	Prof. Jelle Visser based on results from the National Workplace Survey and development of union membership	Not applicable	No exclusion	Estimate based on results of the NWS and recent union membership development
Israel	Derived from social survey	CBS, results of the Social Survey 2012	Not applicable	No exclusion	Estimate based on the share of employees for which terms of employment are determined by or a CA from the Social Survey 2012
Italy	Expert judgement	OECD and Prof. Jelle Visser	Not applicable	No exclusion	Set at 100% based on constitutional provision (art. 36) and case law
Japan	Derived from trade union membership figures (Expert judgment)	Prof. Jelle Visser based on data from the Basic Survey on Labour Union, Ministry of Health, Labor and Welfare	Number of employees covered by CAs estimated as 97% of the net union membership (See Traxler 1994 and ochel 2001).	Higher ranking civil servants and teachers. Note: Based on information from experts but should be revised.	WCB/(WSEE-Wstat)
Korea	Derived from trade union membership figures (Expert judgment)	Prof. Jelle Visser based on data from the Nationwide Organization of Labor unions, Ministry of Employment and Labor (MOEL)	Number of employees covered by CAs estimated as 125% of the net union membership.	Derived from number of employees with the right to be unionised.	WCB/(WSEE-Wstat)
Latvia	Derived from Structure of Earnings Survey	Statistics Latvia, Latvian Structure of Earnings Survey*	Not applicable	No exclusion (to be discussed/corrected) Note: See Annex Table A.2.	Share of employees with a collective pay agreement working in firms with 10 or more employees (all industries, sections A-S of the NACE)
Lithuania*	Analysis of registered CAs	Social Dialogue Unit of the Ministry of Social Security and Labour	Number of employees covered by CAs	Statutory civil servants Note: See Annex Table A.2.	WCB/(WSEE-Wstat)
Luxembourg	Derived from Structure of Earnings Survey	STATEC, Structure of Earnings Survey*	Not applicable	No exclusion	Share of employees with a collective pay agreement working in firms with 10 or more employees excluding agriculture (Sections B-S of the NACE)

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
Malta	Expert judgement	Prof. Jelle Visser based on data from Baldacchino and Gatt (2009)	Not applicable	No exclusion	Published estimate by Prof. Jelle Visser based on Private sector coverage rate from Baldacchino and Gatt and public sector coverage rate (100%).
Mexico	Analysis of registered CAs	Ministry of Labour and Social Welfare	Number of employees covered by CAs	No exclusion because not clearly stated by law. Note: See Annex Table A.2.	WCB/WSEE Note: Not adjusted because some uncertainty about WSTAT.
Netherlands	Analysis of registered CAs	Ministry of Social Affairs and Employment	Number of employees covered by CAs	No exclusion	WCB/(WSEE-Wstat)
New Zealand	Derived from LFS data published	Statistics New Zealand	Number of employees covered by a collective employment agreement	No exclusion	WCB/(WSEE-Wstat)
North Macedonia	External	ILO, Industrial Relations data	Not applicable	No exclusion	Estimate published by the ILO
Norway	Derived from LFS data published	FAFO, Labour Force Survey estimates by Kristine Nergaard	Not applicable	No exclusion	Published LFS estimate by Kristine Nergaard
Poland	Analysis of registered CAs	National Labour Inspectorate (PIP)	Number of employees covered by single-employer CAs (SECA)	Number of employees in the public administration sector Note: See Annex Table A.2.	WCB/(WSEE-Wstat)
Portugal*	Derived from statistics based on compulsory survey of registered firms	Results from Quadros de Pessoal published by the Gabinete de Estratégia e Planeamento (GEP)	Number of employees in establishments covered by CAs (Portugal Mainland)	Public sector employees Note: Employees in Açores and Madeira excluded	WCB/(WSEE-Wstat)
Romania	Expert judgement	Prof. Jelle Visser	Not applicable	No exclusion	Estimate from Prof. Jelle Visser based on labour inspection figures as reported by Eurofound.
Russian Federation	External	ILO, Industrial Relations data	Not applicable	No exclusion	Estimate published by the ILO
Serbia	Expert judgement	OECD estimation based on D. P. Gajic, FES Annual Review 2018	Not applicable	No exclusion	OECD estimate in 2017 derived from Gajic (2019): Coverage rate at 60% in the public sector and 15% in the private sector with public sector representing a third of total employees.

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
Slovak Republic	Expert judgement	Prof. Jelle Visser	Not applicable	No exclusion	Estimates based on Eurofound reports and data derived from the European Company Surveys 2009 and 2015 considering the changes in extension policies
Slovenia	Expert judgement	M. Stanojević and A. Poje (2019)	Not applicable	No exclusion	Estimate based on a 100% coverage in the public sector (due to the single payment system coverage) and private sector coverage derived from a survey of the number of employees in industries with existing CAs
South Africa	Derived from QLFS microdata	OECD estimates based on QLFS microdata	Number of employees whose pay increases (salary increments) are determined by negotiation between union and employer or bargaining council or other sector bargaining arrangement	No exclusion	WCB/(WSEE-Wstat)
Spain	Analysis of registered CAs	Ministry of Labour and Social Economy (MITES)	Number of employees covered by CAs	Statutory civil servants	WCB/(WSEE-Wstat)
Sweden	Expert analysis of reports and data from employers, unions, and the mediation office	Anders Kjellberg	Not applicable	No exclusion	Published estimate by Anders Kjellberg
Switzerland	Survey of the contracting parties to a CA	Erhebung über die Gesamtarbeitsverträge/Enquête CCT/Indagine sui contratti collettivi di lavoro, Swiss Statistical Office	Number of employees covered by CA with formal provision ("Dispositions normatives"). Note: Only CAs with normative provisions to avoid double counting.	Civil servants	WCB/(WSEE-Wstat)
Türkiye	Analysis of registered CAs	Ministry of Labour and Social Security (MoLSS)	Derived from the number of employees in the private sector covered by new CAs in a particular year (average over 2 years). Note: See methodology in Çelik and Lordoğlu (2006)	Civil servants	WCB/(WSEE-Wstat)

Country	Type of estimation	Main data source (otherwise indicated)	<b>WCB</b> Number of employees covered by CA in force	<b>Wstat</b> Employees excluded from bargaining	<b>AdjCov</b> Adjusted CB coverage rate
United Kingdom	Derived from LFS data published	BEIS estimates based on LFS data	Number of employees for which agreements between trade union and employer affect pay and conditions	No exclusion	Published estimate by the BEIS
United States	Derived from LFS data published	BLS, Union Members (CPS)	Number of employees member of a union or covered by a union or an employee association contract	Incorporated self-employed <sup>1</sup>	WCB/(WSEE-Wstat)

Note: \*: Revised data (OECD/AIAS ICTWSS version 1.1).

1. Incorporated self-employed in Canada and the United States fall outside of the national common law definition of an employee and cannot therefore be strictly considered as employees who are excluded from collective bargaining (**Wstat**). These workers are considered solely for the sake of consistency and international comparability between the measurement of the unadjusted coverage rate (**UnadjCov**) and the adjusted coverage rate (**AdjCov**). Whereas the adjusted rate is measured in terms of the total number of employees with the right to collectively bargain, the adjusted rate refers to the total number of employees according to the international definition (ISCE-93) which includes these workers in these three countries.



Table A.2. Categories of employees excluded from collective bargaining

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Albania	None	<b>IRLEX, Albania:</b> "No provision found in legislation."	None	Not applicable
Argentina	Employees in the agricultural sector, teachers in the private sector, and domestic workers	<p><b>Law No. 24185 of 1992 regulating collective conventions for the State workers (LCLANPA):</b></p> <p>"Art 8 - The collective bargaining regulated by this law will cover all labor issues that make up the employment relationship, both salary content and other working conditions, with the exception of the following:</p> <ul style="list-style-type: none"> <li>a) The organic structure of the National Public Administration;</li> <li>b) The management powers of the State;</li> <li>c) The principle of suitability as the basis for admission and promotion in the administrative career.</li> </ul> <p>The salary negotiations or those referring to the economic conditions of the labor benefit, must be subject to the norms of the budget law and the guidelines that determined its preparation</p> <p><b>Hayter and Visser, 2018:</b></p> <p>"In the private sector there are three groups that have their employment conditions and wages determined by mechanisms other than collective bargaining. In their case tripartite bargaining, participation or consultation mechanisms play a significant role. These groups are:</p> <ul style="list-style-type: none"> <li>i. workers in the agricultural sector, whose working conditions are established through the Comisión Nacional de Trabajo Agrario (CNTA);</li> <li>ii. private sector teachers, whose salaries and working conditions are regulated by the Teachers' Statutes and the Committee of Teachers in the Private Education Union, a body with tripartite representation; and</li> <li>iii. domestic service workers and domestic workers in private households, who receive wage increases through the administrative provisions of the Ministerio de Trabajo, Empleo y Seguridad Social." </li></ul>	None	Not applicable due to difficulties to correctly estimate the number of employees excluded identified as "workers in the public administration (from the three levels of government), workers in the agricultural sector, teachers in the private sector, and workers in the domestic service and homework".

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Australia	<ul style="list-style-type: none"> <li>High-level state functionaries</li> <li>Employees working for a non-national systems employer</li> </ul>	<ul style="list-style-type: none"> <li><b>High-level state functionaries</b> may be excluded from the federal legislation for constitutional reasons. Indeed, the High Court held in <a href="#">Re AEU; Ex parte Victoria (1995) 184 CLR 188</a> that the application of federal industrial and employment laws to State employees will not destroy the States or prevent them functioning effectively. This general proposition was qualified in respect to high level employees, such as Ministers, ministerial assistants and advisers, heads of departments and high-level statutory office holders and judges. Considering the 'intergovernmental immunities doctrine,' the High Court held that these employees were of critical importance and that States must determine the terms and conditions on which they are engaged. <b>IRLEX, Australia:</b> "Civil servants can generally bargain under the Fair Work Act (FWA), except that certain high-level state functionaries may be excluded from the federal legislation for constitutional reasons."</li> <li><b>Other groups excluded</b> from collective bargaining under the Fair Work Act The legal framework on collective bargaining is located within Part 2-4 of the Fair Work Act. Section 170 of the FW Act narrows the definition of employees for this part of the Act beyond the common law definition of an employee to a 'national systems employee'. A national systems employee is defined as an individual who is employed by a national system employer, except on a vocational placement (Section 13). This means that any individual who is employed by a non-national systems employer will not fall under the collective bargaining provisions in the FW Act (see Section 14).</li> </ul>	Employees working for a non-national system employer	Due to the sampling method of the Employment, Earnings and Hours Survey, these workers are already excluded in the adjusted coverage rate ( <b>AdjCov</b> ) and no reliable estimate of their number can be derived from this survey.
Austria	Public sector employees	<p><b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper ; WP 309):</p> <p>"As regards the legal status of public employees, a distinction must be made between civil servants (Beamte/Beamtinnen) and staff employed on a contractual basis (Vertragsbedienstete). Determination of conditions of employment in the public sector by agreement is only permitted where this is provided for in law. It is typical, however, for the rights and duties of civil servants to be established by law or ordinance. The legal status of contract employees is similar to that of workers or employees in the private sector, but the terms of employment are governed by separate laws. Hence, for both types of employment, duties and remuneration are largely determined by legislation. For employees in the Länder, municipality groupings and municipalities, the provisions of the laws of the respective Länder apply."</p>	Public sector employees	Number of public sector employees published by the Federal Ministry for Arts, Culture, the Civil Service and Sport in their reports, <a href="#">The Austrian Federal Civil Service, Facts and figures</a>

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Belgium	Civil servants (ambtenaren, fonctionnaires)	State functionaries have their own statute and are de facto excluded from collective bargaining. <b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): Salaries are subject to negotiations between authorities and officials of trade unions, although contrary to the private sector, no real collective labour agreement is concluded on the subject, and it does not always lead to wage increases or changes in status. Each authority in the Belgian civil service is to a large extent autonomous in terms of wage policy, but the underlying philosophy differs little from one authority to another. The formation of the wages of federal employees serves as a model for other public authorities and institutions.	Civil servants	Ambtenaren / fonctionnaires from statistics on employment by joint committee of the ONSS/RSZ: <a href="#">Evolution of employment according to joint committee</a>
Bosnia and Herzegovina	None	<b>IRLEX, Bosnia and Herzegovina:</b> "No exclusion found in legislation."	None	Not applicable
Brazil	Personnel of the Federal Government, States, Federal District and Municipalities	<b>IRLEX, Brazil:</b> Art 169 of the Constitution of the Federal Republic of Brazil (CFRB) states: "Expenditure on active and inactive personnel of the Federal Government, States, Federal District and Municipalities shall not exceed the limits established by law. (§ 1) The granting of any advantage or increase in remuneration, the creation of positions, jobs and functions or alteration of the career structure, as well as the admission or hiring of personnel, by any means, by the direct or indirect management bodies and entities, including foundations established and maintained by the public power, can only be made: I - if there is sufficient prior budget allocation to meet the personnel expenditure projections and the resulting increases; II - if there is specific authorization in the budget guidelines law, except for public companies and mixed capital companies."	None	Coverage rate published by the ILO not adjusted for employees with the right to bargain.

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Bulgaria	Civil servants	<b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): “Under the Civil Servants Act, trade union organizations represent and protect the interests of civil servants in dealings with the state bodies on matters of civil-service relationships and social-security relationships by means of proposals, grievances and participation in the preparation of drafts of internal regulations and ordinances relating to civil-service relationships. The European Public Service Union Federation (EPSU) reports that the government unilaterally sets the pay and conditions of civil servants and so there is limited scope for collective bargaining at this level, but collective agreements do exist at ministry and agency level. The main topics negotiated are employment conditions, health and safety, working time, training and retraining, vacations and holidays, social security and compensations, conditions for trade union activities, social benefits.”	None	Not applicable
Canada	Incorporated self-employed	No exclusion known excepted the incorporated self-employed which are not considered as wage and salary workers according to the Canadian definition.	Incorporated self-employed	Number of incorporated self-employed (LFS).
Chile	Public sector employees	<b>IRLEX, Chile:</b> “It is prohibited for Public Servants to manage or to belong to trade unions in the field of State Administration. In addition, the public or private enterprises or institutions whose budget, in the last 2 years, has been financed in more than 50% by the State are not allowed to negotiate collectively (Art. 78 LAEA; Art. 304 CDT).”	Public sector employees	Number of employees working in the public sector (ENE published by the national Statistical Office, INE).
China	Civil servants	<b>IRLEX, China:</b> “Civil servants are governed by the Civil Servant Law rather than the Labor Contract Law (LCL) and the Labor Law (LL) and do not engage in the negotiation of collective contracts.”	None	Coverage rate published by the ILO not adjusted for employees with the right to bargain.
Colombia	Public sector employees	<b>IRLEX, Colombia:</b> “Trade unions of public servants are not allowed to enter into petition documents nor adopt collective agreements (Art. 416 of the Substantive Code of Labor).”	None	Coverage rate published by the ILO not adjusted for employees with the right to bargain.
Costa Rica	None	<b>IRLEX, Costa Rica:</b> Book 11 of Labour Code (LC) provides for a specific legislation in case of collective agreement within the Public Service. Indeed, Art. 696 LC states that unions that demonstrate having the largest number of members in each institution, company or unit in question, in accordance with the provisions of article 56 of this Code are entitled to negotiate and sign collective agreements.	None	Not applicable

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Croatia	None	<p><b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>“Collective bargaining covers conditions of work, employment and contractual relationships. A collective agreement may also regulate the rights and obligations of parties, and may contain legal rules which regulate entry into, the contents and termination of contracts of employment, issues related to a works’ council, social security issues, and other issues concerning contracts of employment. There are no prohibited subjects of negotiation and collective agreements cover general subjects, like amendments to the Annex to the Agreement on basic salaries in the public service, as well as individual rights of public employees such as salary, bonus, Christmas bonus, and gifts for children. Civil servant’s collective bargaining covers conditions of work, employment, and contractual relationships.”</p>	None	Not applicable
Cyprus	Public sector employees	<p><b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>“According to the Constitution and Rules of the Joint Staff Committee for the Civil Service (JSC), employment relations in the public sector are regulated by “schemes of service” agreed between the government and the Pancyprian Public Servants’ Trade Union (PASYDY) and approved by parliament and not collective agreements. Collective “</p>	None	Not applicable
Czech Rep.	Civil servants	<p>Bargaining rights are, in comparison with the private sector, restricted in public administration.</p> <p><b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>“The Labour Code (Sec. 4b) states that the terms of collective agreements can deviate from the Code where it does not expressly or implicitly forbid so. The basic differences between the scope of collective bargaining in the public and the private sector are the following:</p> <ol style="list-style-type: none"> <li>a. it is impossible to shorten working hours (Sec.79(3));</li> <li>b. working time accounts cannot be implemented (Sec.86(2));</li> <li>c. possibility of partial unemployment does not apply (Sec. 209(1));</li> <li>d. length of leave of absence is 5 weeks instead of four (Sec. 213(2));</li> <li>e. mandatory creation of fund for cultural and social needs; and</li> </ol> <p>The conditions for establishing wages are mandatory, and the parties can only deviate from these conditions or specify more detailed conditions for some components when the law allows it.”</p>	Employees in public administration	Number of employees in public administration, defense and compulsory social security (section O of the NACE Rev. 2.) based on the OECD Annual Labour Force Statistics database.

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Denmark	Civil servants ("Tjenestemænd")	<b>Life in Denmark.dk: <a href="#">Employment as civil servant ("tjenestemand")</a>:</b> "Civil servants are generally allowed to form and join trade unions and to engage in collective bargaining and conclude collective agreements at the same terms as other public employees. The most significant differences between civil servants and other groups of employees are that civil servants have no right to strike in connection with collective bargaining due to the national interest in the undisturbed function of the public administration. Public employees are also prohibited from lockouting civil servants. Should a civil servant participate in a strike or work stoppage, it is considered professional misconduct pursuant to section 10 of the Civil Servant Act."	Civil servants ("Tjenestemænd")	Number of active officials published by Statistics Denmark (Indicator TJEN01)
Estonia*	None	There are no exclusions from collective bargaining in the Collective Agreements Act	None	Not applicable
Finland	None	<b>IRLEX-Finland:</b> "No provision found in legislation."	None	Not applicable
France	Civil servants (excl. Public sector enterprises)	<b>IRLEX-France:</b> "Under the Labour Code, public and civil servants not in establishments with an industrial or commercial character, or not employed in terms of private law fall outside the scope of the Title relating to collective bargaining. Art. L2211-1 provides that the provisions of this book are applicable to employers of private law and their employees. They also apply to: 1 Public establishments with an industrial and commercial character; 2. Public administrative institutions when employing staff in terms of private law."	None	No series on public sector employees because estimates from Prof. Jelle Visser based on statistics from the DARES exclude the public sector
Germany	Civil servants ("Beamten")	<b>Collective bargaining in the public service in the European Union /</b> International Labour Office. - Geneva: ILO, 2015 (Working paper ; WP 309): "Wages and other conditions for civil servants are set by law. In Germany there are two categories of public service workers: Beamte (civil servants) and public employees (Beschäftigte des öffentlichen Dienstes). Wages and other conditions of work for civil servants are set out by national and local law. Civil servants have the right to participate in the setting of their employment conditions (Beteiligungsrecht), but this is limited to apex organizations who can lobby Parliament. Civil servants do not have the right to strike."	Civil servants ("Beamten")	Number of civil servants ("Beamten") based on statistics provided by the Statistische Bundesamt and published by Destatis: <a href="#">Statistisches Bundesamt, Fachserie 14, Reihe 6.</a>

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Greece	Civil servants	<p><b>Collective bargaining in the public service in the European Union</b> / International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>“The 1975 Constitution (revised on 1986, 2001 and 2008) guarantees the right of civil servants to conclude collective agreements, but restricts the formation of the amount of wages or any other kind of remuneration in the public sector to special provisions in the Law. Collective bargaining in the public sector is regulated by the Law on Collective bargaining in the public administration, permanent status for workers employed under open-ended contracts and other provisions. Its provisions apply to all salaried civil servants under public-law employment relationships, including state judicial employees, employees of public entities and first- and second-level public authorities.”</p>	Civil servants	General government employment published by the ILO, ILOSTAT (database), Public employment by sectors and sub-sectors of national accounts.
Hungary	Civil servants	<p><b>IRLEX, Hungary:</b></p> <p>“Public servants (e.g., teachers, social sector staff, public health staff) can bargain collectively and conclude collective agreements. However, the room for collective bargaining is narrower than in the private sector, as the collective agreement can derogate from the provisions of the law only when authorized by such legislation (Act XXXIII of 1992 on the Legal Status of the Public Servants [törvény a közalkalmazottak jogállásáról]).</p> <p>However, civil servants, government officials (e.g., working in ministries, central and territorial administration, mayor’s offices) are not allowed to bargain collectively and conclude collective agreements (Act CXCIX of 2011 on Public Servants ([törvény a közszolgálati tisztviselőkről]) and Act CXXV of 2018 on the Governmental Administration (“Kit” in Hungarian). Similarly, police forces and armed forces can bargain collectively and conclude collective agreements in application of the Act XLII of 2015 on the Service Status of Professional Members of Law Enforcement Agencies (2015. évi XLII. törvény a rendvédelmi feladatokat ellátó szervek hivatásos állományának szolgálati jogviszonyáról), and the Act CXIII of 2011 on National Defense and the Hungarian Defense Forces (2011. évi CXIII. Törvény a honvédelemről és a Magyar Honvédségről, valamint a különleges jogrendben bevezethető intézkedésekről), respectively. Since 2020, Act C of 2020 on Healthcare Service Relationship [törvény az egészségügyi szolgálati jogviszonyról], state and municipally maintained healthcare providers cannot conclude collective agreements..”</p>	None	Not applicable
Iceland	None	No provision found in legislation.	None	Not applicable

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Indonesia	Employees in enterprises of less than 10 workers	<p><b>IRLEX, Indonesia:</b> “Law No. 21 of 2000 Concerning Trade Union/Labour Union. (Art. 5): “A trade union/ labor union is formed by no less than 10 (ten) workers/ laborers.”</p> <p>Since collective agreements can only be concluded by trade unions, not individual workers, and since unions can be formed by no less than 10 workers, workers in enterprises of less than 10 workers may be unable to bargain collectively (unless they participate in a union which extends beyond the enterprise).”</p>	None	Coverage rate published by the ILO not adjusted for employees with the right to bargain.
Ireland	None	<b>IRLEX, Ireland:</b> “No provision found in legislation.”	None	Not applicable (apart for very few high-ranking officials)
Israel	None	No provision found in legislation	None	Not applicable
Italy	None	<b>IRLEX, Italy:</b> “No provision found in legislation.”	None	Not applicable
Japan	High-ranking civil servants and teachers	<p><b>Collective Bargaining in Japan</b>, Prepared by OH, Hak-Soo, The Japan Institute for Labour Policy and Training, © ILO- Japan Multi-Lateral Project, 2006: “Public servants are excluded from the Trade Union Law. Not all public servants have had the right to collective bargaining or to act collectively.”</p> <p><b>IRLEX, Japan:</b> Art. 108-3 (3) NPSL states: “Officials may organize or refrain from organizing, or may join or refrain from joining an employee organization; provided, however, that officials making important administrative decisions, holding managerial positions who participate in making the aforementioned decisions, holding supervisory positions with direct authority on the appointment and dismissal of officials, or those holding supervisory positions with access to confidential details related to plans and policies of the proper authorities on appointment and dismissal, status, disciplinary action or service discipline, remuneration and other working conditions of officials, or on their relations with employee organizations, whose obligations and responsibilities in the course of duties are thus found to directly conflict with sincerity and responsibilities as members of employee organizations, and other officials taking charge of duties which, in their relations with employee organizations, should be performed from the standpoint of the proper authorities (hereinafter referred to collectively as “managerial personnel, etc.”) may not form the same employee organization with officials other than managerial personnel, etc., and furthermore, an organization formed jointly by managerial personnel, etc. and by the officials other than managerial personnel, etc., is not the employee organization referred to in this Act.”</p>	High-ranking civil servants and teachers	Number of teachers and white collars in public administration based on data from the Japanese Labour Force Survey.



Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Korea (Rep. of)	High-ranking civil servants	<p><b>IRLEX, Korea:</b> Art. 33 (2) CRK states: "Only those public officials who are designated by Act, shall have the right to association, collective bargaining and collective action." According to Art. 6 (1) AEOPOTU, the scope of public officials eligible to join a trade union is "1. General public officials of grade six or below, and general public officials equivalent thereto; 2. Special public officials who are equivalent to general public officials of grade six or below and engage in administrating foreign affairs and managing diplomatic information" etc. It means that public officials of grade five or above shall not join a trade union. On top of restriction by occupational grade, public officials falling under any of the Art. 6(2) shall not join a trade union.</p>	Civil servants with no right to be unionised	Derived from the number of employees with right to be unionised published by the ministry of Labour (MOEL): the number of wage earners excluding public servants (public officials of grade V or above, military personnel, police officers, etc.) and teachers (principals, vice principals, etc.) who are barred from joining a trade union.
Latvia	Civil servants	<p><b>Collective bargaining in the public service in the European Union</b>, International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "Civil servants and armed services staff are not covered by the Labour Law. Other public employees have collective bargaining rights, but all main issues concerning employment in the central government institutions are prescribed by laws and regulations. In ministries where bargaining exists, the topics of negotiation are some aspects of working time, work organisation, job security and employment protections."</p>	None	Not applicable
Lithuania*	Civil servants (as defined by the Civil Service Law)	<p><b>Collective bargaining in the public service in the European Union</b>, International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "Art. 5(1) of the Civil Service Law regulates collective bargaining (of civil servants), indicating that "The collective agreement may include the following conditions: 1. office (working) time and rest time of civil servants; 2. creating safe and healthy working conditions; 3. remuneration for work; 4. procedure for the implementation of the collective agreement; 5. improvement of professional qualifications; 6. exchange of information and consultations between the parties; and 7. other conditions which are not contrary to the valid legal acts and do not make the position of civil servants less favourable. Any additional conditions cannot involve budget allocations." <b>Lithuania: will new legislation increase the role of social dialogue and collective bargaining?</b> in: Muller, Torsten, Vandaele, Kurt and Waddington, Jeremy (eds.) Collective Bargaining in Europe. ETUI, pp. 381-401. ISBN 9782874525148: "In the public sector all main employment and working conditions, including remuneration issues, are strictly regulated by national legislation; thus, there is little room for manoeuvre for collective bargaining."</p>	Civil servants	Number of employees in public administration, defense and compulsory social security (section O of the NACE Rev. 2.) based on the OECD Annual Labour Force Statistics database.

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Luxembourg	None	<b>Luxembourg: an instance of eroding stability?</b> in: Muller, Torsten, Vandaele, Kurt and Waddington, Jeremy (eds.) Collective Bargaining in Europe. ETUI, pp. 403-421. ISBN 9782874525148: “The public sector union CGFP negotiates agreements for civil servants and public servants (fonctionnaires d’Etat and employés de l’Etat) with the government. These agreements can be assimilated to a collective agreement, even though they are not labelled as such for legal reasons.”	None	Not applicable
Malta	None	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): “The Employment and Industrial Relations Act covers public servants with very limited exceptions. The Act regulates the registration and conduct of trade unions in detail, but does not regulate the negotiation process other than to allow either party to request mediation regarding the establishment of the machinery for negotiation or consultation.”	None	Not applicable
Mexico	None (unclear)	<b>IRLEX, Mexico:</b> “The Federal Law of Workers at the Service of the State, (FLWSS) does not provide any specific provisions on collective agreements, although Art. 89 states that unions objecting to general working conditions may appear before the Federal Court of Conciliation and Arbitration, which will ultimately decide on the matter. Therefore, collective bargaining seems excluded for the category in question. Art. 9 of the Federal Labor Law, (LFT) states: “The category of trusted worker depends on the nature of the functions performed and not on the appointment given to the position. Functions of trust are those of management, inspection, surveillance and inspection, when they are general in nature, and those related to the employer’s personal work within the company or establishment.” Art. 363 LFT provides that workers with a position of trust (trabajadores de confianza), cannot join the unions of the other workers. The statutes of the unions may determine the status and rights of their members, who are promoted to a position of trust. It is therefore understood that trusted workers cannot participate to collective bargaining.”	None	Not applicable due to difficulty to know exactly which workers are excluded.
Montenegro	None	<b>IRLEX, Montenegro:</b> “No exclusions found in legislation.”	None	Not applicable
Netherlands	None	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): “Decentralized collective negotiations and labour agreements in the public sector were established for eight public subsectors such as central government, municipalities and education. This number later expanded to 14.”	None	Not applicable
New Zealand	None	No provision found in legislation.	None	Not applicable

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
North Macedonia	None	<b>IRLEX, North Macedonia:</b> "No exclusions found in legislation."	None	Not applicable
Norway	None	<b>IRLEX, Norway:</b> "No exclusions found in legislation."	None	Not applicable
Poland	Civil servants	<b>IRLEX, Poland:</b> Labour Code of 26 June 1974 (Dz.U. 1974 Nr 24 poz. 141) Art. 239 §3 states: "An agreement may not be concluded for: 1) members of the civil service, 2) employees of State offices employed on the basis of nomination and appointment, 3) employees of local government authorities employed on the basis of an election, a nomination or an appointment in: (a) marshal's office, (b) district offices, (c) local authority offices, (d) offices of unions of local government units, (e) offices of administrative units of local government units, (4) judges, trainee judges (assessor sądowy) and prosecutors."	Civil servants	Number of employees in public administration, defense and compulsory social security (section O of the NACE Rev. 2.) based on the OECD Annual Labour Force Statistics database.
Portugal*	Employees in public administration	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "The principle of collective bargaining was implemented in the framework of labour relations in the public sector starting in 2009, and a collective agreement has already been signed for the general system of careers (covering careers that cross the whole public administration) and another for special medical careers, as well as 25 other agreements covering particular services or bodies. (...) However, Eurofound reports that collective bargaining in public administration deals with a very limited set of issues and has a very low coverage."	Employees in public administration	Public employment statistics from the Direção-Geral da Administração e do Emprego Público (DGAEP), <a href="#">Statistical Summary of Public Employment (SIEP)</a> .
Romania	Employees of the budget sector institutions	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "Collective bargaining is stipulated by Law No. 62/2011 and special legislation. Collective agreements in the 'budget sector institutions' may contain clauses about employment conditions such as the work program and rest, working conditions, safety and health at work, vocational training, as well as other rights that are the subject of collective bargaining. Wages and other compensations are not subject to collective bargaining but regulated by Law No. 284/2010 on setting staff salaries paid by public funds. Economic rights can be negotiated under certain conditions, within the approved."	None	Not applicable
Russian Federation	None	IRLEX, Russian Federation: "No exclusions found in legislation."	None	Not applicable
Serbia	None	No provision found in legislation ( <a href="#">Labour Law 2005</a> )	None	Not Applicable

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Slovak Rep.	Medical professionals	<p><b>Collective bargaining in the public service in the European Union</b>, International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>"The Act on collective bargaining, the Labour Code and the Act on civil service regulate collective bargaining in central public administration. Collective bargaining can take place at the sectoral and local, company levels. The Act on collective bargaining also defines mechanisms for the resolution of labour conflicts related to the collective bargaining. There is some limitation of the subjects of collective bargaining for civil servants and public servants working in organisations of the central public administration. However, multi-employer collective agreements for civil servants can contain clauses to reduce working time; increase wage tariffs, paid holidays and severance pay; and establish discharge benefits for retiring employees."</p> <p><b>IRLEX, Slovakia:</b></p> <p>"Medical professionals: In the health care sector, medical professionals and dentists have their own regulation of remuneration through the Remuneration Act since 2012. Therefore, collective agreements do not apply to this professional sector.</p> <p>§ 80a (1) Act on Healthcare Providers states: "The basic part of wage of a medical professional and a dentist (§ 27(1) – a) a b)) employed in employment relationship on given weekly working time in the institution of medical care (§ 7 (4)), who was attested for specialized activities (§ 33 (2)) and who provides specialized activities in the extent of the attained education is at least 1.25 multiple of average monthly wage of employees in the economy of the Slovak Republic determined by the Statistical Office of the Slovak Republic for the calendar year preceding two calendar years in which the basic part of wage is set."</p>	None	Not Applicable
Slovenia	None	<p><b>Collective bargaining in the public service in the European Union</b>, International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309):</p> <p>"The Collective Agreements Act48 regulates collective bargaining in both public and private sectors. The government negotiates collective agreements covering state bodies, administrations of local self-governing communities, public agencies, public funds, public institutes, public commercial institutes and other legal persons in private law, if they are indirect users of the state budget or budgets of local self-governing communities.</p> <p>(...) The collective bargaining system is compulsory and rather formal: negotiations take place several times per year, depending on the subject (pay, working conditions and working time, absence arrangements, redundancy terms, training and a range of procedural issues such as dispute resolution, trade union facilities and information arrangements)."</p>	None	Not Applicable
South Africa	None	<b>IRLEX, South Africa:</b> "No provision found in legislation."	None	Not applicable

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
Spain	Statutory public employees	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "Collective bargaining for non-statutory public employees is governed by the labour legislation. However, collective bargaining of the terms and conditions of employment of public employees is covered by the Conditions of Service and is subject to the principles (a) that it must be lawful, its outcomes are covered by the budget and (b) that it is compulsory, undertaken in good faith and is in the public domain and is transparent. For this purpose, bargaining "tables" (mesas) are established consisting of representatives of the public administration, on the one hand, and those of the most representative unions, on the other. In particular, a general bargaining "table" is established for the general state administration, for each autonomous community and for each local authority."	Statutory public employees	Number of career civil servants ("Personal funcionario de Carrera" including "Otro personal") published by the Ministry of Territorial Policy and Public Function (Ministerio de Política Territorial y Función Pública, MTFP) in the <a href="#">Annual Statistical Bulletin</a> .
Sweden	None	<b>Collective bargaining in the public service in the European Union</b> , International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "All employees in the public sector are covered by central collective agreements. The central government does not intervene in the negotiations in the public sector"	None	Not applicable
Switzerland	Civil servants	D. Oesch (2007), <b>Weniger Koordination, mehr Markt? Kollektive Arbeitsbeziehungen und Neokorporatismus in der Schweiz seit 1990</b> , Swiss Political Science Review 13(3): 337-68: "In 2001, the Civil Servants Act was replaced at the federal level by the Federal Personnel Act (BPG) and CAs were also spread in the public sector (including SBB, Post and Swisscom from 2001). Civil servant status has also been abolished in most cantons. Accordingly, from 2001 onwards only employees in (1) public administration, national defence, social insurance and (2) half of the employees in education are counted as non-subordinate."	Civil servants	Employees working in (1) public administration, national defense, social insurance and (2) half of employees in education based on Employment Statistics (ETS / SPAO)
Türkiye	Civil servants	Çelik, Aziz. (2018). <b>Industrial relations in Turkey: Still waiting for a strong and modern system</b> . 10.4337/9781788114387.00010: "In the early 2000s, some groups of public servants gained the right to organize, but not the right to collective bargaining or the right to strike. In 2010, some provisions of the Constitution were amended, granting public servants the right to collective bargaining under a system of compulsory arbitration. There are several unions and confederations for public servants in Turkey (see, for more detail, Uçkan, 2013), but these have been left out of the analysis here as they are regulated differently from other unions. While workers (in both the private and the public sectors) work under individual employment contracts, public servants are subject to administrative law. Public servants' unions in Turkey function as associations rather than trade unions (...) The amendment to article 53, meanwhile, prescribes mandatory arbitration for public servants (that is, all employees engaged in the administration of the state), denying those workers the right to strike."	Civil servants	Number of civil servants based on <a href="#">public employment data</a> published by the Presidency of Strategy and Budget (SSB).

Country	Exclusion from collective bargaining Information available		Exclusion currently included in the OECD/AIAS ICTWSS Database ( <b>Wstat</b> )	
	Categories	Reference information	Categories	Measurement and data source
United Kingdom	None (very few employees)	<p><b>Collective bargaining in the public service in the European Union</b>, International Labour Office. - Geneva: ILO, 2015 (Working paper; WP 309): "Bargaining at the undertaking level prevails, and multi-employer agreements are very common in the public sector. Collective bargaining is underpinned by a universal legislative framework, which does not distinguish between employees in different sectors. Specific arrangement exists for some groups of public sector workers such as the military and police."</p> <p><b>IRLEX, United Kingdom:</b> "According to Section 280 TULRCA and Section 64 of the Police Act, members of the police are prohibited from joining a trade union. Sec. 284 Trade Union and Labour Relations (Consolidation) Act states: The following provisions of this Act do not apply to employment as master or as member of the crew of a fishing vessel where the employee is remunerated only by a share in the profits or gross earnings of the vessel"</p>	None	Not applicable
United States	Mainly incorporated self-employed	<p><b>IRLEX, United States:</b> "Under §152(3) of the NLRA, the term "employee" does "not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse, or any individual having the status of an independent contractor, or any individual employed as a supervisor, ... or by any other person who is not an employer as herein defined." This exclusion also applies to the application of the LMRA (see 29 U.S.C., § 142(3)). With respect to federal employees, the CSRA, §7103(2) provides that "'employee" ... does not include— (ii) a member of the uniformed services; (iv) an officer or employee in the Foreign Service of the United States employed in the Department of State, the International Communication Agency, the Agency for International Development, the Department of Agriculture, or the Department of Commerce;"</p>	Incorporated self-employed	Number of incorporated self-employed (CPS).

\*: Revised data (OECD/AIAS ICTWSS version 1.1).

Table A.3. Main characteristics and estimation of the employee series (WSEE)

Country	Employment concept	Geographic coverage	Age coverage	Deviation from the national definition of employees	Armed forces living in private households	Main data sources	Additional estimates
Albania	National	Mainland	15 and over		Yes	ILOstat (Living Standards Survey in 2005 and 2005; LFS afterwards)	-
Argentina	National	Mainland restricted to 31 urban districts. Provincial capitals and towns of over 100,000 inhabitants that are not provincial capitals are surveyed.	15 and over		No	ILOstat (Permanent Household Survey)	-
Canada	National	Mainland excluding Northwest Territories, Yukon, and Nunavut	15 and over	Incorporated self-employed	No	OECD Annual Labour Force Statistics (ALFS)	-
Chile	National	Mainland excusing areas that are difficult to access	15 and over		No	INE, Nueva Encuesta del Empleo	1986-2009: Chained series using regional data from the Encuesta Nacional del Empleo
Costa Rica	National	Mainland	15 and over		No	OECD Annual Labour Force Statistics (ALFS)	1987-2009: OECD Annual National Accounts (ANA)
Cyprus	National	Greek part (since 1974)	15 and over		Yes	Eurostat, European labour Force Survey (EU-LFS)	-
Czech Republic	National	Mainland	15 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	-
Hungary	National	Mainland	15-74		Yes	OECD Annual Labour Force Statistics (ALFS)	-
Japan	National	Mainland	15 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	-
Korea	National	Mainland	15 and over		No	OECD Annual Labour Force Statistics (ALFS)	1963-1988: ILOstat (Economically Active Population Survey)

Country	Employment concept	Geographic coverage	Age coverage	Deviation from the national definition of employees	Armed forces living in private households	Main data sources	Additional estimates
Latvia	National	Mainland	15 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	1995: retroplated series using growth in the number of employees from the OECD Annual National Accounts (ANA) 1996-97: ILOstat (Labour Force Survey)"
Lithuania	National	Mainland	15 and over		Yes	Eurostat, European labour Force Survey (EU-LFS)	1995-97: retroplated series using growth in the number of employees from the OECD Annual National Accounts (ANA)
Mexico	National	Mainland	15 and over		No	OECD Annual Labour Force Statistics (ALFS)	-
Netherlands	National	Mainland excluding overseas territories	15 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	-
New Zealand	National	Mainland	15 and over		No	OECD Annual Labour Force Statistics (ALFS)	-
Poland	National	Mainland	15 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	-
Portugal	National	Excluding autonomous regions (Azores and Madeira)	16-89		Yes	OECD Annual Labour Force Statistics (ALFS)	-
South Africa	National	Mainland	15 and over		Yes	ILOstat (Quarterly Labour Force Survey)	-
Spain	National	Mainland including autonomous cities (Ceuta and Melilla)	16 and over		Yes	OECD Annual Labour Force Statistics (ALFS)	-



Country	Employment concept	Geographic coverage	Age coverage	Deviation from the national definition of employees	Armed forces living in private households	Main data sources	Additional estimates
Switzerland	Domestic	Mainland	15 and over		Yes	OECD Annual National Accounts (ANA)	1960-75: ICTWSS v.6.1. estimates 1976-90: retropolated series using growth in the number of employees from the OECD Economic outlook Database 1991-94: OECD Annual Labour Force Statistics (ALFS)
Türkiye	National	Mainland	15 and over		No	OECD Annual Labour Force Statistics (ALFS)	1960-69: ICTWSS v.6.1. estimates 1970-87: retropolated series using growth in the number of employees from the OECD Economic outlook Database
United States	National	50 states and Washington D.C. (excluding US territories)	16 and over	Incorporated self-employed	No	OECD Annual Labour Force Statistics (ALFS)	-

Note: ILO guidelines (conscripts): "Conscripts who performed some work for pay or profit during the reference week should not be considered in employment."