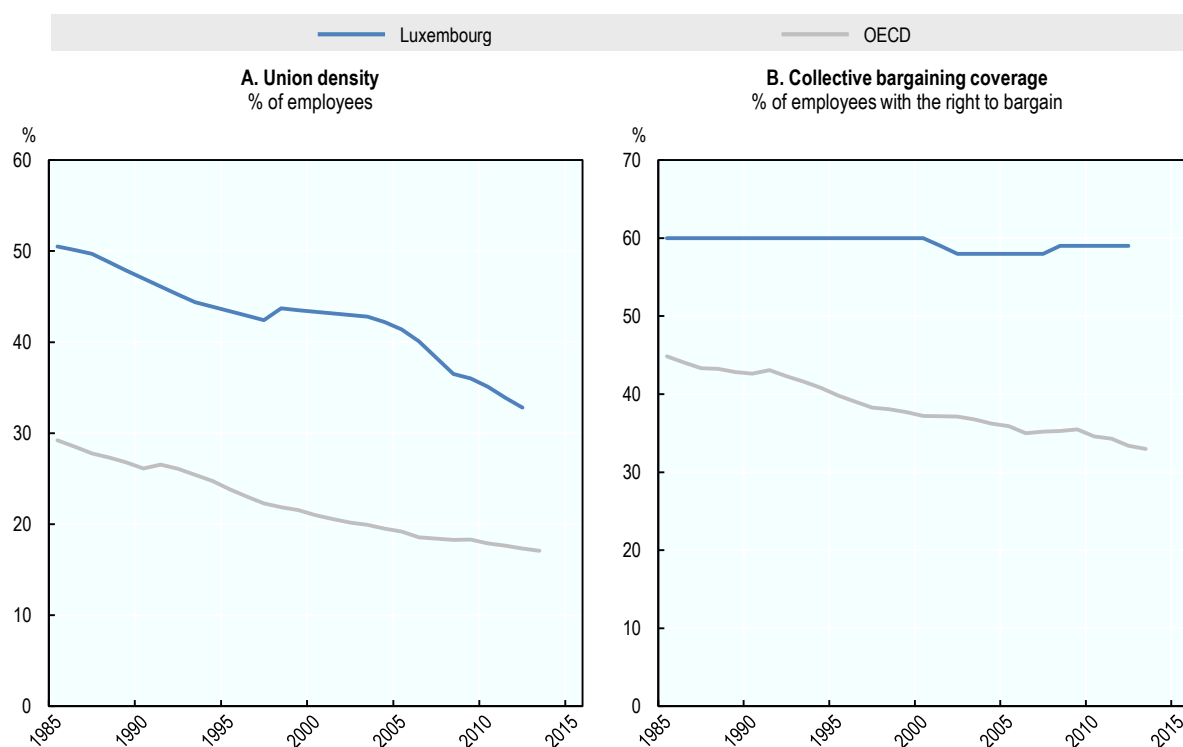


Luxembourg

KEY FEATURES OF THE COLLECTIVE BARGAINING SYSTEM IN 2015

Predominant level	Company/Sectoral
Degree of centralisation/decentralisation	Decentralised
Co-ordination	No
Trade union density in the private sector	20-30%
Employer's organisation density	80-90%
Collective bargaining coverage rate	50-60%
Quality of labour relations	High

TRENDS IN INDUSTRIAL RELATIONS IN LUXEMBOURG, 1985-2015



BUILDING BLOCKS OF COLLECTIVE BARGAINING

The detailed description of the building blocks of collective bargaining mainly relies on information provided by the responses to the policy questionnaires that were sent to Labour Ministries, employer organisations and trade unions in 2016. The information reported in the questionnaires represents the situation in **December 2015**.

Use of *erga omnes* clauses

Legal application of a sector level agreement in the absence of administrative extensions *Erga omnes*

Legal application of a firm-level agreement All workers

Use and coverage of extensions

Use of extensions of sectoral collective agreements Yes

Procedure The Government can issue an extension upon request of one of the parties. The national conciliation office and the relevant Chambers representing the employees and the employers must give their support.

Representativeness criteria No

Public interest criteria No

Exemptions or possibility of appeal No

Duration of collective agreements

Average duration Information not available

Maximum duration of collective agreements Set by law, 36 months (at firm and sectoral levels).

Can contracting parties terminate an agreement before its expiry date? No, agreements remain valid until the end.

Ultra-activity of collective agreements

Is maximum duration of after-life/ultra-activity of agreements fixed by law? Yes, but social partners can deviate (12 months).

Retroactivity of agreements

Do firms have to pay arrears in case of late renewal? No legal obligation, but parties may agree on that.

Does retroactivity apply only to members of signatory parties or does it cover all parties? To signatory parties including the non-union members in member firms of signatory employer organisation.

Use of the favourability principle Not relevant

Use and scope of derogations and opt-out

Derogations from the law Not relevant

Derogations from collective agreements

Scope Not relevant

Topics Not relevant

Rationale Not relevant

Criteria Not relevant

Other Not relevant

Forms of co-ordination

Mode of co-ordination Not relevant

Degree of co-ordination Not relevant

Enforcement of collective agreements

	Sector-level agreements	Firm-level agreements
Do agreements typically include a peace clause?	Yes	Yes, common and compulsory.
Do agreements typically include a mediation/arbitration procedure?	Yes, but rare.	No
Is it compulsory?	Yes	Not relevant

Worker representation at the workplace Work council.

Board-level employee representation

Public sector Yes

Private sector Yes

Scope • Private companies > 1000.

Proportion/number of workers' representatives • State-owned companies.

• 1/3 of the board.

• One board member per 100 employees (min. three members, max. 1/3 of the board)

Nomination of candidates • Election by staff representatives (iron and steel industry are an exception).

Appointment mechanism • Election by staff representatives.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT
PARIS, SEPTEMBER 2017