FLEXIBILITY AND SECURITY, MICRO PERSPECTIVES ON DEALING WITH FLEXICURITY

Which social regulation forms inside inter-organizational partnerships?

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Our observations:

- Innovative solutions to the needs for flexibility and security expressed by both employers and their employees, frequently set up on an intercompany basis. 
  
Examples: umbrella companies, skill pooling, employers associations, jobpools, flexpools, etc.

- Some of these are on the borders of the existing legal framework; some are described as balanced and satisfying for all their stakeholders, other are unbalanced, unsatisfying, unsustainable.

Our question:

Under which conditions is it possible to find flexicurity compromises able to preserve the general interest at the inter-organizational level?
We suggest 3 avenues...

SATISFACTION OF THE STAKEHOLDERS’ INTERESTS

INSTITUTIONALIZATION WORK

BALANCED AND LONG-LASTING SOCIAL REGULATION COMPROMISES

INTERVENTION OF A THIRD PARTY
The satisfaction of the stakeholders’ interests

The social regulation area requires that the institutionalized compromises are also « desirable »

→ necessity for a joint satisfaction of the diverging interests

The issues at stake concern

- The identification of the stakeholders
- The dynamic grasping of the interests system
- The actor competency to identify his/her interest and the way to satisfy it
The satisfaction of the stakeholder’s interests

- Intervention of a third-party in order to
  - Mobilize and enrol the stakeholders
  - Identify the various interests and the power relations, in a dynamic and systemic perspective
  - Allow the actor’s reflexivity
  - Create a common problematization

= the third-party as a « translator » (actor-network theory)
An institutionalization work

- The stakeholder’s satisfaction is always contingent
  → perpetuation through an institutionalization work

- The issues at stake concern
  - The legitimacy of the compromise
  - The formalization of the compromise
  - The regulation of the compromise
  - The coherence of the compromise with the other social regulation levels
An institutionalization work

- Intervention of a third-party in order to
  - Produce a theorization to justify the agreement
  - Set up a governance system
  - Integrate the compromise inside the global social regulation system

= the third-party as an « institutional entrepreneur» (neo-institutionalist theory)
Avenues put at the test of the field

- **Action-research granted by the ESF (EU)**

- **Methodology**
  - **Critical**: a positioning different for the flexicurity research mainstream (focus on the micro level and the emergent practices)
  - **Experimental**: testing the implementation and perpetuation modes for new flexicurity practices at the micro level (companies partnerships, labour market area, territory, ...) through pilot projects
  - **Participative**: mobilization and involvement of labour market stakeholders in the experimental, analytic and theoretical work
  - **Abductive**: iterative process between field and theory to give sense to the field observations
## Evaluation criteria of the compromises

<table>
<thead>
<tr>
<th>VARIABLE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deliberate/ Emerging</td>
<td>Voluntary negotiation, with explicit reference to requirements expressed and accepted by the stakeholders <em>vs.</em> gradual or iterative adjustments, with reference to requirements that appear as time goes by.</td>
</tr>
<tr>
<td>Two-sided participation</td>
<td>Extent of respect for the principle of voluntary commitment to the implementation of the compromise for each stakeholder.</td>
</tr>
<tr>
<td>Inclusive/ Selective</td>
<td>Involvement of all the stakeholders in the employment relationship at all stages of the process leading to the compromise <em>vs.</em> reduced and/or selective involvement.</td>
</tr>
<tr>
<td>With/Without intervention of a third party</td>
<td>Level and modes of participation of a third party in the process of designing the compromise (advice, cognitive supervision, mobilization, guidance, regulation) and in its governance.</td>
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</tbody>
</table>
Evaluation criteria of the compromises (#2)

<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Generic/Specific</td>
<td>Uniform application to all members of one of the groups that is a party to the negotiations vs. compromise satisfying specific issues expressed by an individual or restricted group.</td>
</tr>
<tr>
<td>Evolving/Static</td>
<td>Possibility to adapt and enrich the compromise throughout its existence vs. rigidity of the compromise negotiated</td>
</tr>
<tr>
<td>Formalised/Informal</td>
<td>Compromise based on an official agreement between stakeholders (explicit, documented, accessible) vs. informal agreement.</td>
</tr>
<tr>
<td>Means of regulation</td>
<td>Existence or not of a system for controlling and penalizing, linked to the compromise (cultural norms, interdependence of the partners, collective bargaining agreements, laws and regulations).</td>
</tr>
<tr>
<td>Consistent/Inconsistent</td>
<td>Consistency of the content of the compromise with existing regulation at higher levels</td>
</tr>
</tbody>
</table>
We suggest 3 avenues...

Two sided participation Deliberate

Satisfaction of the Stakeholders' Interests

Inclusive

Evolving Formalised Consistent

Institutionalization Work

Regulation Generic

Balanced and Long-Lasting Social Regulation Compromises

Intervention of a Third Party
Towards balanced and long-lasting compromises

- Deliberate
- Emerging
- Two-sided participation
- One-sided participation
- Inclusive
- Selective
- With 3d party
- Without 3d party
- Generic
- Specific
- Evolving
- Static
- Formalised
- Informal
- Regulated
- Not regulated
- Consistent
- Inconsistent

Towards balanced and long-lasting compromises

- Deliberate
- Emerging
- Two-sided participation
- One-sided participation
- Inclusive
- Selective
- With 3d party
- Without 3d party
- Generic
- Specific
- Evolving
- Static
- Formalised
- Informal
- Regulated
- Not regulated
- Consistent
- Inconsistent
Case study: polyactivity in the logistics sector

- Starting point: packers at the Trilogi company (air freight express transportation) working part-time (20h/week) at night (0-4 am)
  → insecure situation for the workers in terms of income

- Workers are taking initiatives to complement their income: part-time in another company (during the day of the night, self-employment, moonlighting, etc.
  → insecure situation
  - For the workers, to coordinate the various activities and in terms of work life balance
  - For the employers, in terms of workers flexibility and security at work

How can we « qualify » the existing compromises? How can we make them balanced and long-lasting?
Case study: polyactivity in the logistics sector

- Deliberate
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- With 3rd party
- One-sided participation
- Inclusive
- Selective
- Generic
- Without 3rd party
- Evolving
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Outputs and further research...

- **Outputs**
  - **Heuristic criteria**
    allowing to describe and evaluate flexibility/security reconciliation practices emerging at the micro level
  - **Guidelines for action**
    allowing to frame the design and implementation of balanced and long lasting flexicurity compromises inside inter-organizational partnerships

- **Further research**
  - **Deepening the third party intervention:**
  - **Questioning the consistency issue:**
    Necessary for the institutionalization process? Interaction between various regulation systems?
Thank you for your attention!

- For more information...
- V.xhauflair@ulg.ac.be
- www.flexicurity.org
Flex Pools (N & D)

Unions

BD

TWA

FP

Logistics

U

Employer = Flex Pool Management by the Board of Directors

Commercial contract

Worker under contract (previously unemployed)

Temporary assignment

Management contract

Worker temporarily assigned
Employers Groups (F & B)

Employer = Employers Group
Management by the Employers Group
Administration by the Board of Directors

Temporary assignment
Managing contract

Worker under contract
Worker temporarily assigned
Skill Pooling (B)

Employer = the initial company
No contract between employer and user
Management by the SP entity
Flex Pools (G)

Employer = the initial company
Management by the flexpool
Administration by the co-employer companies

Temporary assignment
Managing contract

Worker under contract
Worker temporarily assigned

Employer = the initial company
Management by the flexpool
Administration by the co-employer companies
Multi-activity

- **A, B**: Salaried employment
- **C**: Moonlighting
- **D**: Self employment

Many employers
Various status (salaried and self employed)