

“It’s our prerogative how we run our factory”

The Agreement is clear:

- Local management and trade unions shall jointly identify the circumstances under which fixed-term employment and/or the outsourcing of services may be introduced by mutual agreement.
- Significant changes in the employment structure shall be subject to negotiations within the collective bargaining process.
- Local management and trade unions shall regularly review the use of fixed-term and outsourced employment with a view to limiting such employment.
- A healthy labour relations environment is key to a sustainable business. Union-management discussions, consultations and negotiations are a key element in the implementation of this Agreement!

If local management still resists... do not hesitate to contact your union and, through the IUF, we will raise the issue on your behalf with senior international management.

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RESISTING AND ‘ROLLING BACK’ CASUAL AND PRECARIOUS EMPLOYMENT

*Using the
IUF/Danone
agreement on
‘Sustainable
employment
and access to
rights’*

International Union of Food,
Agricultural, Hotel, Restaurant, Catering,
Tobacco and Allied Workers’
Associations

What the agreement is about:

The expansion of precarious work – temporary employment contracts, outsourcing – is a growing threat to solidarity at the workplace, union bargaining power and workers' rights.

On 15 March 2016, the IUF and Danone signed an international **agreement committing Danone to promote permanent direct employment as the preferred form of employment** within Danone.

The agreement points to the many ways in which precarious employment can undermine equality, solidarity, union bargaining power and rights more generally.

In practice, the agreement acknowledges that fixed-term contracts, agency work and bogus 'self-employment' and outsourcing can lead to violations of rights: the right to equal pay for work of equal value, the right to a safe working environment, the right to training and advancement, the right to social security and social protection, and the right to join a union and be able to exercise a collective bargaining relationship with Danone.

The agreement provides a **framework for unions to negotiate "continuous progress" in limiting and reducing temporary, fixed term and agency contracts**. The process rests on the explicit commitment that fixed-term employment at Danone shall be introduced only where local management and trade unions have identified and agreed on the conditions.

This agreement can be a powerful tool in the hands of workers and their trade unions at Danone!

For this to work, workers, through their unions, must be fully informed.

You have the right to know!

You can start by proposing to management a joint review of employment at your worksite!

Using the agreement:

The Agreement can be used to **defend and increase permanent employment** and ensure that precarious employment is reduced and the use of precarious employment is limited in your workplace:

- The Agreement stresses the contribution of permanent, direct employment to successful business performance and to the respect for human rights, and thus reinforces Danone's dual economic and social project.
- The Agreement states that Danone will promote permanent, direct employment.
- The Agreement states that fixed-term contracts are to be used only for temporary and one-off activities and requires management and trade unions to jointly identify the circumstances under which fixed-term and outsourcing contracts may be introduced.
- The Agreement states that all workers shall be guaranteed equal pay and working conditions regardless of their employment contract.
- The Agreement requires that significant changes in the nature of employment be subject to negotiation.

Dealing with management responses:

Common pretexts for resistance from local management:

"It's non-core work"

The Agreement does not make distinctions between "core" and "non-core" work; instead, it stipulates that only work of a temporary and non-recurring nature may be the object of a fixed-term contract.

"It's common practice locally to contract/ outsource this activity"

This is not a justification provided for in the Agreement. Instead, the Agreement commits Danone to promoting permanent, direct employment and highlights the contribution of an engaged and qualified workforce to the running of their business.

Furthermore, the Agreement attests to Danone's acknowledgement of the risks – both to human rights and the business – inherent in forms of employment other than permanent and direct.