

## “Free” and “Official” Labor Unions in Russia: Different Modes of Labor Interest Representation

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### Abstract

Since the beginning of the 1990s, the Russian labor movement has been divided into two continuously warring camps—the “official” unions, affiliated with the Soviet-legacy Federation of Independent Trade Unions (FNPR) and the so-called “free” or “alternative” labor unions. Free labor unions differ from official unions in many respects, including their militant nature and conflict-based ideology, grass-roots methods of labor mobilization and organization, the economic resources that they use, and their forms of membership and leadership. Today two different modes of labor interest representation exist at the same time: the distributive mode employed mainly by the official unions and the protest mode, which is more typical for free labor unions. While official labor unions continue to dominate the organized labor scene, in recent years they have faced growing competition from their alternative counterparts. Overall, the dominance of the distributive system, based on cooperation between the employer and union, over the protest model signifies the preservation of the strength of management in labor relations, squeezing unions to the sidelines in serving workers. Accordingly, labor relations based on market mechanisms have not replaced the previous administrative system as many observers had once anticipated.

### Labor Unions after the 1990s

In the early 1990s, liberalization and economic reforms caused a tremendous wave of labor protest that the Soviet-legacy labor unions had neither the ability nor the desire to support. The alternative labor unions took the lead in the labor protests. Since that time two union camps have formed in the Russian labor movement. On the one side, there are the “official” or “traditional” trade unions affiliated with the Federation of Independent Trade Unions of Russia (FNPR), a successor of the All-Union Central Council of Trade Unions of the USSR (VTsSPS). On the other side, there are the so-called “alternative” or “free” labor unions, which are independent from the FNPR. Among the biggest associations of free labor unions at the national level are the All-Russian Confederation of Labor (VKT) and the Russian Confederation of Labor (KTR). Another interregional alternative labor union is the Trade Union Association of Russia (SOTSPROF).

Nominally Russia compares well with other countries in terms of trade union membership. About 54% of the overall workforce is reported to be organized. The FNPR retains an almost monopolistic position in Russian organized labor. It claims to represent 90% of unionized workers, 45% of total Russian employees and 75.1% of employees at the unionized enterprises (enterprises and organizations that have primary trade union organizations). According to the FNPR annual report, which remains one of the only available sources of data about labor unions, the highest rates of union membership are among workers in the transportation construction sector (94.2%), the employees of the security agen-

cies of the Russian Federation (88.4%), and among the workers in the oil and gas, mining, and related construction industries (84.7%). In geographic terms, the official trade union organizations are best represented in the Republic of Dagestan (94.9%), Kabardino-Balkaria (93.1%), North Ossetia-Alania (92.7%), Tatarstan (90%), Belgorod region (90.1%), and Chechnya (89.3%). Union membership continues to decline in recent years, from 27.8 million members in 2006 to 24.2 million members in 2010. The number of primary organizations has also declined, from 210 in 2006 to 191 in 2010.

Unfortunately there are no reliable statistics about free labor unions. According to the Federation of European Employers (<http://www.fedee.com/tradeunions.html#Russia>), the All-Russian Confederation of Labor (VKT) has about 3 million members and the Confederation of Labor of Russia (KTR)—1.2 million members. The Trade Union Association of Russia (SOTSPROF) encompasses a total of 500,000 members. Alternative labor unions are strong among the miners, airline pilots, air traffic controllers, dockers, railway locomotive crews, and automobile industry workers.

### “Free” and “Official” Labor Unions—What’s the Difference?

Free labor unions differ from the official ones in many respects. Traditional Soviet-legacy labor unions follow the ideology of “social partnership”, stressing the commonality of interests among employees and employers. They are well incorporated into the Russian system of social partnership and claim to be the sole monopolistic representative of the rights of all Russian employees.

The free labor unions are more oriented toward fighting employers; instead of emphasizing consensus, they focus on conflict. This does not mean that free labor unions refuse any possibility of “peaceful” dialogue with employers. Many strong alternative unions are successful in collective bargaining and concluding collective agreements. However, official unions often accuse their counterparts of unjustified aggressiveness in their relations with management that “screw up” the process of collective bargaining.

Unlike official unions that usually build their primary organizations “from above,” free labor unions typically emerge on the wave of some protest action “from below”, often at enterprises unionized by the official trade unions. In this case, the newly created unions experience double pressure—not only from the employer, but also from the official union which makes it very hard for the new organization to survive. Usually the newly organized labor unions can persist only if they get organizational and informational support from a larger local free labor union organization or association that has access to more extensive resources. Their militant character and protest ideology make free labor union activists a target for tough administrative pressure and even physical assaults.

The numerous ways that free labor unions emerge explains the high organizational diversity within the movement—from tiny, semi-formal activist groups at the enterprise level up to regional and inter-regional multi-level organizations encompassing thousands of members. The structure of primary organizations is often informal and based on networks; union leaders (activists) rely heavily on interpersonal relations and ways of communicating with their members. Sometimes such methods are dictated by the absence of office space at the enterprise that has to be provided by the employer. Sometimes, especially militant unions deliberately avoid using any formal structures and contacts with the enterprise, in order to avoid becoming vulnerable to administrative pressure. The union staff, especially at the enterprise level, often work on a volunteer basis since free labor unions cannot afford to spend much money on bureaucratic organization. Unlike official unions that can use resources accumulated by their predecessor during the Soviet era, free labor unions must rely almost exclusively on membership fees.

Both official and free labor unions experience difficulties attracting new members, even though the nature of the different kinds of unions varies. For the official unions, membership is usually formal or based on “inertia”. Joining the union is not so much a conscious choice, but an assumed norm, often carried out automatically when a new employee starts a job. As in Soviet times,

people do not expect the union to defend their rights, but to provide them additional benefits. For the free trade unions, voluntary and active membership is more typical and internal union solidarity is highly valued. These qualities are particularly true for militant unions since membership comes at a high risk for workers. Leaders of free trade unions are generally charismatic individuals, capable of mobilizing people; by contrast the leaders of official trade unions are usually skilled in working within administrative and bureaucratic systems.

The official and free trade unions differ in terms of their repertoire of collection actions. Free unions use non-institutional forms of protest more frequently, such as unsanctioned rallies, pickets, strikes, and street actions. They actively cooperate with various social movement and protest groups, organizing coalitions and participating in joint protest actions. The difference in relations with the authorities is also apparent. Despite the fact that union leaders emphasize their non-partisan character, the protest activity of the free unions *a priori* includes overt or covert opposition to the authorities. The very rise of the alternative trade unions is connected to dissatisfaction with the existing system of defending worker rights and that means coming into conflict with the status quo.

In general, the differences described here demonstrate that the official trade unions are a bureaucratic structure, while the free unions are closer to a social movement.

### Revitalization of the Free Labor Movement

Western researchers of Russian labor relations practically ignore the existence of free labor unions because of their relatively small numbers. Nevertheless, the activity and influence of the free unions has grown significantly in recent years. This has primarily manifested in the increasing number and duration of labor protest actions (mostly wildcat strikes, unregistered protest actions and stop-actions) organized by free labor unions (for a more detailed analysis, see the article by Petr Bizyukov in this issue). Another trend is the growing consolidation and organizational strengthening of the free labor movement; the intensifying attempts to unite free labor unions under a single umbrella association (KTR or SOTSPROF); the formation of strong and militant interregional and intersectional associations of free labor unions, like the Interregional Trade Union of the Automobile Industry Workers (MPRA). Free labor unions have in recent years increased their involvement in political activity (a phenomenon that is not entirely welcome by all union leaders). While, official unions seek an alliance with the ruling party (United Russia), and Vladimir Putin, free labor unions focus more on build-

ing political contacts with left-wing political parties and groups (such as, for instance, ROTFRONT), and were trying to establish relations with President Medvedev. The result is a growing political competition with the official unions. There is also increasing collaboration and coalition building with various actors of civil society—social movements and interest groups, especially at the local and regional levels.

All this activity has led some Russian researchers to describe a revitalization of the labor union movement in Russia. However, despite some successful protest actions and the growing consolidation of free labor unions, they remain less organized and centralized than official unions. Among the factors hindering further consolidation are the internal contradictions of the free labor movement related to its organizational diversity, the semi-formal character of some especially militant unions, and the ambitions of charismatic union leaders. The most important problem of the alternative unions continues to be their institutional exclusion, which is largely a consequence of the existing Labor Code.

### Free and Official Unions after the Adoption of the New Labor Code

Adopted in 2002, the new Labor Code finally solidified the three-sided multi-leveled system of social partnership. Although the basic idea of social partnership is borrowed from the Western model, its Russian version has specific features. The poorly developed institutional base, the specifics of the Russian economic situation, and the post-Soviet legacy preordained that this model would be ineffective. Thus, the absence (or poorly developed nature) of collective representation institutions for the employers at the sectoral and regional levels makes the conclusion of sectoral and regional salary agreements impossible or simply formal. In the sectors where such agreements are nevertheless reached, they frequently do not work since the salary levels agreed to are much lower than in the leading, or even middling, enterprises in the sector. Preserving the dominance of the state in the development of social policy at both the federal and regional levels makes the basic principle of equal partners a fiction—the leading role in collective bargaining belongs to the state, then management, and only then, the labor unions.

According to the unanimous opinion of experts, the new Labor Code as a whole worsened the position of labor unions in their dialogue with employers:

- The union is deprived of the right to a “veto” when workers are fired at the initiative of the administration. Now the union can only state its opinion.
- Time limits were introduced in conducting collective bargaining at an enterprise, after which the employer

can sign only several insignificant points and the agreement will be considered concluded. Agreement on the most important, and therefore most conflictual, points can be postponed indefinitely.

- The most radical change affected the possibility for labor protests. The union lost its right to announce a strike; now a decision must come from a meeting of the workers’ collective. The number of sectors in which strikes are outlawed was increased and more obstacles were put in the way of adopting a decision on starting a strike. Solidarity strikes focusing on social economic policy were prohibited. The number of conditions required to be present before a strike can be announced was increased (as was the number of obligatory tasks which must be completed during a strike).
- In addition to the general anti-union provisions, the new Labor Code impacted on the conditions of free labor unions in particular. Among the key features were:
- New difficulties in registering a labor union, especially for a new union that seeks to break off from an official labor union and become an independent organization.
  - New difficulties in concluding a collective agreement. Membership requirements for conducting collective bargaining and resolving collective labor disputes limit the participation of free labor unions, which generally have fewer members than the official unions.
  - New difficulties connected to the lack of protection for labor union activists. These included changes in the legislative norms that previously forbid the firing of union activists, moving them to other work, or disciplining them without the agreement of the union cell.
  - New difficulties in conducting legal protest actions, particularly strikes.

The result is an obvious contradiction between the Labor Code’s officially declared idea of providing a pluralism of representative possibilities for hired labor and the de facto official monopolization of the right to provide such representation by the official trade unions. The absence of free competition among trade unions in the area of protecting worker rights and the limited institutional opportunities for alternative representation of labor interests leads, on one hand, to a enforced politicization of free unions which seek to be heard by the high-level authorities and, on the other hand, to the radicalization of protest actions.

### Unions in Enterprises—Distributive and Protest Models of Representing Worker Interests

At the firm level, the main problem hindering the social partnership model is the remaining (and even grow-

ing) power disbalance in relationships between trade unions and employers. Labor unions are not considered by employers as an equal and respectable partner. According to the expression of one trade union committee chairman, today it is not possible to speak about a social partnership in Russian enterprises, but about a “social coexistence if the employer wants it”. Unions are viewed by the employer as a subdivision of the human resources department, the job of which is to motivate and support worker morale, or to help in distributing social benefits. As a result, most unions are involved in distributing resources, as in Soviet times. They do not deal with worker-management relations; rather they organize social work during workers’ free time, vacations, sports, and cultural and educational work. The unions have the job of helping “weak” or “problematic” workers while strong workers, in the opinion of management, do not need such intermediaries in dealing with their bosses. Such a distributional model of representing worker interests is more characteristic for official trade unions and is dominant today. Nevertheless, it would not be correct to draw a direct analogy between

today’s redistributive model and the situation during the Soviet period. Since then there have been changes in the sources, size, and content of the goods that are distributed and the unions are constantly seeking new types of services and support for their members (for example, credit unions, special insurance systems, etc). As a result, there is great diversity in the distributive models, ranging from “mutual help” to “business services”.

For free unions, the protest model is more typical. They represent labor interests by focusing on defending worker rights, rather than distributing various benefits. Nevertheless, even the alternative unions, especially the large and well-established ones, engage in social work in response to the traditional expectations of workers. Although the protest model is better suited to the market economy and the market mechanism of regulating labor relations, its practical application, as already noted, is difficult. The domination of the distributive model demonstrates the preservation of the administrative system of regulating interactions between employers and employees and the absence of market mechanisms in representing collective labor interests.

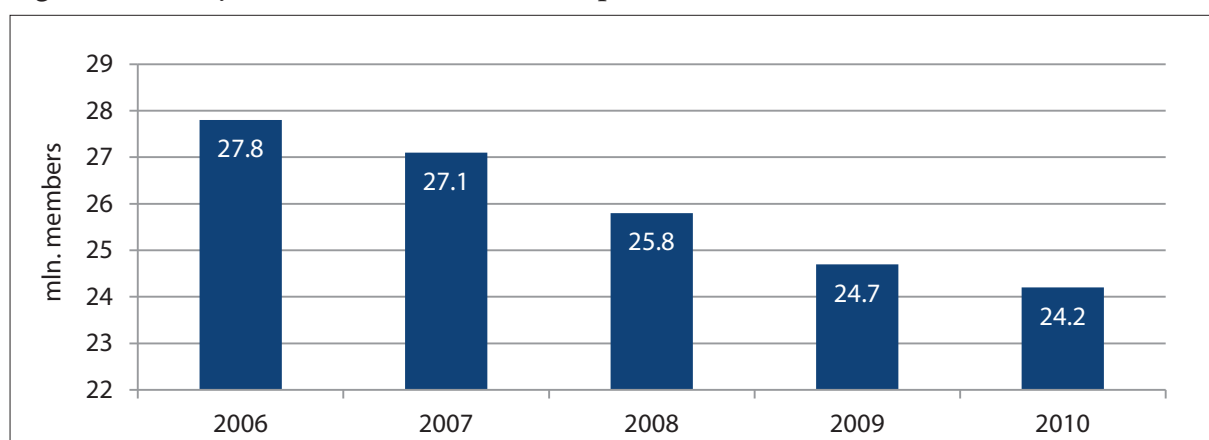
#### *About the Author*

Irina Olimpieva is a visiting scholar at Johns Hopkins University’s School for Advanced International Studies.

#### *Further Reading*

- Kozinoi, M. (ed.), Profsoyuzy na predpriyatiyakh sovremennoi rossii: vozmozhnosti rebrendinga (2009)
- Olimpieva, I., Rossiiskie profsoyuzy v sisteme regulirovaniya sotsial’no-trudovykh otnoshenii: osobennosti, problemy i perspektivy issledovaniya (Moscow: Moscow Social Science Fund, 2010)

**Figure 1: The Dynamics of Union Membership (FNPR)**



Source: Statistical evaluation of trade union membership and trade union organs in 2010. Federal Independent Trade Unions of Russia website, <http://www.fnpr.ru/n/2/15/187/6378.html>