



## 2.1.2 Freedom of Association and Right to Collective Bargaining

Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively unless restricted by law. The employer adopts an open attitude towards the activities of trade unions and their organisational activities. Workers representatives are not discriminated against and have access to carry out their representative functions in the workplace.

Where the right to freedom of association and collective bargaining is restricted by law, the employer facilitates and does not hinder the development of parallel means for independent and free association and bargaining.

N°	Control Points Freedom of Association	MAX	Score	
1	Employer (0) prohibits (2=M) <b>permits associative activities</b> and collective bargaining (3) recognises in writing and deed the right of workers to freedom of association and collective bargaining (4) is exceptionally active to promote/support associative activities	4 M=2		
2	Information on workers right to organize provided by employer. (0) no information at all (2) basic information; workers know that they are free to organize (3) information on workers rights by independent third parties or: Detailed information as per local law provided by the employer	3		
3	(0) Management discriminates or punishes workers for exercising their right to join or participate in union/associative activities (2=M) <b>no such discrimination</b> or punishment (3) management supports/ promotes workers' associative activities in a positive way	4 M=2		
4	(1) Indication (2) no indication that employer obstructs or controls worker representatives meeting workers during working hours. (3) Employer grants workers time within working hours for workers meetings and provides physical facilities	4		
5	Employer or management (0) insist on always being present during meetings of worker representatives (1) attend meetings sometimes (uninvited) (2) are present or attend meetings only on invitation	2		
6	Where more than one union exists (0) there are indications (2) no indications that the management favours one union over the other	2		
7	Where no unions exist / or existing unions do not offer a good option for workers (0) the management does not facilitate (2) facilitates the formation of a workers council / representation organisation elected by the workers; (3) acts as active / committed facilitator. <i>If there is substantial unionisation → 3</i>	3		
8	Workers' awareness of freedom of association: (0) not aware (1) aware of the option but feel hesitant to really join a union/organisation (2) aware of the option but clearly not interested (3) some union activities or own active workers representation organisation. (4) Exceptionally high degree of unionization or very active workers representation with collective bargaining/joint salary negotiations or agreements in other labour issues	4		
<b>TOTAL</b>		<b>MAX</b>	<b>TNP</b>	<b>Score</b>
<b>Maximum Points / Total Norm Points / Effective Points</b>		<b>26</b>	<b>16</b>	