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The accession migration into construction: a comparative analysis of trade union responses in Denmark, Norway and the UK

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INTRODUCTION

The mobility of labour and services across Europe in the wake of EU enlargement has exceeded predictions and expectations. Since the 2004 accession of Central and Eastern European countries (CEE), the UK alone has received more than 926,000 accession country registrations (Border and Immigration Agency 2008). The Nordic countries have also proved to be attractive destinations, with more than 200,000 work permits issued to CEE citizens for the same period. In all three countries, the construction sector is standing out as one of the industries recruiting Polish migrants with irregular forms of employment and bad working conditions being observed (Friberg & Tyldum 2007, Hansen & Andersen 2008, Fitzgerald 2006). The accession of new 'low-wage' CEE member states to the old 'high-wage' EU has stirred intense debates on implications for wage and working conditions, and national labour market regimes (Krings 2009).

Construction has a long tradition of inter-European migration (Baganha and Entzinger 2004) of which trade unions are fully aware. As Bruno Koebele (then president of the European Federation of Building and Woodworkers) said in the early 1990s *'for building workers, moving from place to place is nothing new. It is an historical fact that they always made their migratory rules themselves and organised the way these were supervised'* (quoted in Koebele and Cremers 1994: 11). In fact the UK construction sector has been reliant on a 'reserve army' of relatively cheap foreign labour (Balch et al. 2004). In recent years this has been provided by the Republic of Ireland, although, following the Irish economic boom, many workers have returned home, gaps in employment are now being filled by CEE workers. However, an important feature of the UK construction sector, when compared to its European counterparts, is that it remains difficult to regulate with self-employment a central feature, (Harvey and Behling, 2008). In Norway and Denmark the inflow of CEE workers to the construction industry until 2008 contributed to sustaining the high level of activity in this industry, and only displaced local labour to a minor extent. Labour immigration has been driven by demand factors, and has been welcomed by most of the labour market actors (Dølvik and Eldring 2008). The decline in the market for construction services in 2008 may, however, serve to change this situation through increased competition for jobs. The inflow of foreign labour has already served to put pressure on existing labour market regimes, and Danish and Norwegian trade unions have taken an active stand on issues relating to transitional arrangements and governmental measures for regulation of low-wage competition and prevention of social dumping.

The paper draws on material collected from a number of studies in Denmark, Norway and the UK. We will use four sources of data in particular: 1) A labour force and living conditions survey among Polish citizens in the Oslo area in the autumn of 2006, a parallel survey was also conducted among the Polish members of the Felleforbundet (Norwegian United Federation of Trade Unions) in the region (Friberg and Tyldum 2007; Eldring 2007). 2) A survey among 236 construction enterprises in Denmark that used CEE employees, supplemented by case studies and interviews with key persons from the trade unions and employers' organizations within the industry (Hansen and Andersen 2008). In addition, we will draw on a study of the efforts undertaken by 84 local Danish trade union organizations to recruit foreign workers. 3) On going joint Fafo and FAOS research on the labour immigration strategies of Danish and Norwegian construction unions. This includes both interviews at central union level and with local unions in Oslo and Copenhagen 4) A TUC funded study involving UCATT and Northumbria University. This involved an action research approach supplemented by a Polish language questionnaire and semi-structured interviews with UCATT officials. This also involved a series of meetings with Polish workers and regular ad hoc communication with UCATT officials for over a year.

TRADE UNIONS AND IMMIGRATION: STRATEGIES AND DILEMMAS

Historically there have existed two key dimensions of trade unions, which initially appear complimentary but are potentially conflicting when considered with regard to migrant workers. First, there is the promotion of worker solidarity both within and across national boundaries, and secondly the limitation and regulation of the market power of employers. This is critically brought into conflict by the presence of migrant workers. Labour migrants, particularly in a transient sector like construction, may often be willing to accept low status in a host country. This can be due to a main focus on earnings during a short term stay; migrants may also be more flexible than host-country workers, including accepting lower status jobs and wages (Piore 1979). Further, there is an increase in the supply of labour caused by the immigration itself. Given these circumstances the presence of migrant workers could serve to weaken the bargaining position of trade unions in the receiving countries. Therefore disturbing the balance between the national self-interest of unions and their desire to act in solidarity with labour migrants. Thus it has been argued that trade unions have often been sceptical of labour immigration: "*If employers have a long-standing reputation for preferring immigrants over native-born workers, then the reverse is equally true of trade unions.*" (McGovern 2007:228)

Given the above Kahmann (2006) argues that trade union strategies with regard to labour immigration are likely to move along a scale ranging from exclusion to inclusion. He highlights three main responses: First, a union may seek to exert pressure on governments to regulate the labour market in a way that prevents wage levels and working conditions from being undermined. Second, they may use negotiations to establish common standards in collective agreements, thereby reducing the vulnerability of employees, particularly with regard to wages and social benefits. Third, they may attempt to unionise employees to enable them to demand better pay and working conditions through joint action.

Penninx and Roosblad (2000) analyse this further by identify three main dilemmas for unions with regard to immigration. First, should trade unions oppose the employers' desire to recruit migrants, or should they cooperate? If they choose to cooperate, what demands should they formulate with regard to the conditions offered to these migrants? Second, should migrants be included as regular members of the union, or should they have separate forms of affiliation that exclude them from full membership? Third, if they are included, should special measures be taken with regard to any particular needs that they might have? These dilemmas are currently relevant given the fact that the recent CEE migration often entails only short stays in a host country, and that access to the old member countries can be regulated only to a minor extent.

INDUSTRIAL RELATIONS IN CONSTRUCTION IN DENMARK, NORWAY AND THE UK

The Danish and Norwegian labour markets have many similarities. Both countries have relatively small and open economies, with well-developed social welfare systems. Similarities are found not only in the general social structure, but also in provisions for regulation of the labour market in the two countries. Minimum-wage levels have traditionally been based on collective bargaining in both countries, and have been binding only for workers who are covered by a collective agreement. However, by and large the minimum-wage provisions in the agreements have served to establish norms even in enterprises that have not signed them (Stokke et al. 2003). The UK following decades of continuing neo-liberal restructuring has a receding social welfare system, with creeping full and quasi privatisation. Its 'safety net' is ever more dependent on EU directives such as the Working Time Directive. However, unlike the two Scandinavian countries the UK has a national minimum wage. Construction, though, is not dependent on this and there are a range of national and sub-sector collective agreements (NECC 2005), including the Construction Industry Joint Council Working Rule Agreement (WRA). With the widely applicable WRA UCATT are the lead union (UCATT 2007) and this agreement has strong support from the dominant Construction Confederation employers association who encourage their main contractor members to follow agreements¹. As in Norway and Denmark, the agreement covers not only minimum wage levels but also a range of other additional payments. In all three countries local rates of pay are often above the agreement rates making the statutory minimum wage (or lack thereof) of little importance for wage levels.

The recruitment of CEE migrants who may initially be willing to work on conditions that are far inferior to what is common, has upset this situation. Thus a somewhat comparable challenge for construction unions is evident in all three countries. On the other hand, there are significant dissimilarities between

¹ Confirmed recently in a conversation with Kurt Calder (Communications Director).

the three countries in terms of labour market regulation and industrial relations both in general and specifically in the construction sector. First, the structure of the trade unions active in the construction sectors are different; one large union (Fellesforbundet) is active in Norwegian construction, a number of small specialised unions are active in the Danish construction industry, and in the UK there is one industry union (UCATT) and three general unions. Secondly there are differing unionisation rates, Denmark (88%), Norway (42%) and the UK lagging behind with less than 15 %. Collective agreement coverage is higher in Denmark (74 %) than in Norway (58%), where a larger proportion of employees in the private sector (including the construction industry) are left without a collective agreement (which does not necessarily indicate that they are paid less). In the UK just over 17% of workers are covered by a collective agreement (BERR 2007) and the often complicated web of sub-contractors on construction sites are a further difficultening for unions trying to implement the WRA. A key dissimilarity between Denmark and Norway is also found in the fact that the opportunity to initiate industrial conflicts is far better in the Danish than Norwegian labour market (Dølvik and Eldring 2008).

OVERALL TRADE UNION RESPONSES TO THE EU ENLARGEMENT

On a general level Norwegian and Danish trade unions have followed largely identical strategies, endorsing a transitional regime. Campaigns were launched in both countries, highlighting that accession workers were welcome, but that social dumping and unequal terms were not. The campaigns were successful and despite the different composition of the two governments involved almost identical transitional regimes were introduced in 2004 (Dølvik and Eldring 2008). Work permits would only be granted if individual workers could document that wage levels and working conditions were in accordance with 'normal' standards, and that they had full-time jobs. Therefore, no specific limit was imposed on the number of CEE workers allowed entry. However, self employed and posted workers were not encompassed by these regimes. In contrast UK unions supported a strategy of free entry for CEE workers. Underlying this was a general government, employer and union assumption that only a 'manageable' number of workers would come to the UK. In reality what has occurred is an unprecedented migration, not only in scale but also in scope impinging on most areas of the labour market. Salt and Millar (2006) cite it as almost certainly the largest ever single migration with Poland the largest ever single national group. Thus the hastily arranged Workers Registration Scheme (WRS), which was put in place to manage CEE migration has turned out to have a number of short-comings (Anderson et al 2006; Fitzgerald 2006). Workers registering to this were meant to be given information on employment rights and trade union membership, the scheme also only applied to those employed, not the self-employed, In construction the issue of self employment and particularly bogus self employment dominates (Harvey and Behling, 2008), making the WRS and any useful information from it potentially ineffectual for trade union organising.

There have been major variations in the trade unions' responses and outcomes with regard to how they have targeted the employers of migrants. In Denmark, the trade unions have used the traditional practice of regulating wage levels and working conditions by way of collective agreements with both foreign and Danish enterprises employing CEE workers. This has constituted a demanding task, which has come up against some limitations. First, comprehensive efforts and a large number of conflicts have been required in order to obtain a few collective agreements. Second, the trade unions have experienced problems with the enforcement of agreements once they have been signed (Andersen and Hansen 2008). In Norway, on the other hand, the trade unions have changed their strategy for encountering the low-wage competition from the CEE countries, by resuscitating the long-dormant Act relating to the general application of wage agreements. The purpose of the Act is to ensure that foreign workers are offered wage levels and working conditions that are equal to those of Norwegian employees. In the context of EU enlargement, in particular with regard to posted workers, general application of collective agreements has been made a key instrument for avoiding unreasonable low-wage competition and distortion of market competition in general. The nationwide application of parts of the collective agreement for the construction industry from January 2007 implies that a statutory minimum wage level has been introduced in this industry in Norway (Alsos and Eldring 2008). General application of collective agreements has for a long time been regarded as a controversial instrument in Norwegian labour life, among trade unions as well as among employers' organisations. Trade unions' consider two aspects of this practice as especially problematic. Even though non-unionised workers in enterprises that have signed a collective agreement will be covered by the agreement, the opportunity to become part of a collective agreement is still perceived as a major incentive to join a trade union. A general application of parts of key provisions in the agreement (making them statutory) could be assumed to weaken the trade unions' basis for recruitment and to enhance the problem of "free riders" (Checchi and Lucifora 2002).

Second, there have been concerns that a general application of the minimum-wage provisions in the collective agreements would be unable to prevent the emergence of permanent segments of high-paid and low-paid workers (or low-wage competition), because the minimum wage levels in most cases are set far below the average hourly wages. In spite of these provisos, Fellesforbundet assess the general application as an appropriate instrument and response to the comprehensive labour immigration since 2004. In Denmark, general application of collective agreements has so far not been regarded as a relevant option, especially by the trade unions.

Given the UK neo-liberal market regime CEE workers have freely flowed into numerous, mainly low paid, sectors (Border and Immigration Agency 2008). Further, recruitment agencies have gained a dominant position in the provision of labour, evidenced in the fact that 40% of registered CEE workers are listed as working for recruitment agencies (ibid: 13), also evident in construction (Fitzgerald 2007a). Trade unions have no control of this movement and have sort to influence government policy through the regulation of firstly recruitment type agencies in the food processing sector (dominated by migrants)², construction unions are seeking to extend this to construction (Blackman 2007). Secondly through campaigning for government and employer recognition of the vulnerable nature of many workers in the UK labour market, including migrant workers³. In construction the protection of collective rates has come via various strategies which seek to engage with migrants and make them aware of the 'agreed' industry rates, with a target of recruiting them for the union. Negotiation is also attempted with sub-contractors or labour agencies employing migrants. Pressure is further bought to bear on the main site contractors who are at the head of the complicated sub-contractor web. In the construction engineering sub-sector there have been a series of very well published recent industrial stoppages where demands have bordered on 'British jobs for British workers'. This was initiated after foreign companies won contracts in the UK and introduced their own 'foreign' workers⁴. This is not a common feature of engagement and is very much based on specific sites and may relate more to the posting of workers directive.

CASE STUDY STRATEGIES TO TARGET NEW A8 MIGRANTS

Denmark - Copenhagen

In Denmark, three different trade unions have attempted to organize the CEE workers in the construction industry. First and foremost Fælles Fagligt Forbund (3F) which, like Fellesforbundet, organizes workers in many of the industries that employ labour immigrants from the East (agriculture, construction, manufacturing, hotels and catering). Other unions that are active in the construction industry are Træ-Industri-Byg (TIB), which organizes carpenters, joiners, etc. and Malernes Fagforening, which organize painters. At the central level, these three unions have cooperated closely with regard to activities targeting CEE workers and enterprises. These activities have largely been coordinated by Bygge-Anlægs- og Trækartellet (BAT), which coordinates and represents interests and activities for all eight trade unions that have members in construction-related industries. Under the auspices of BAT, a standard model for collective agreements with foreign enterprises has been elaborated, to ensure that the enterprises are covered by the collective rates of all unions when the agreement is signed. Previously the unions have been mostly concerned with ensuring their own rates, and have insisted on maintaining the boundaries between their respective areas of organization. It was not until August 2006 that the central level of the unions began to put a more intensive focus on the recruitment of migrant workers. This change was effected partly by way of a strategy document which argued in favour of the benefits of having migrant workers as co-players rather than adversaries, and partly in a more practical sense, by hiring five Polish-speaking consultants whose job it would be to assist the local unions. In 2008, 3F devoted € 666.000 more for pursuing these efforts.

At the local level, the unions have been quick to engage in finding practical solutions to the challenges associated with this recruitment. The local unions in Copenhagen in particular have engaged in a large number of activities, including cooperation across union boundaries and exchange of information on a regular basis. In 2006, the Byggefagenes Samvirke hired a Polish-born consultant, who in cooperation with a Danish colleague has concentrated on issues pertaining to foreign workers. A Polish club has subsequently been established in which meetings and various social activities take place.

² The regulation here is provided by the Gangmasters Licensing Authority a body initiated following the Gangmasters (Licensing) Act 2004.

³ The most evident campaign vehicle is the Vulnerable Workers Commission of trade union and employer members.

⁴ See the following link for further information <http://news.bbc.co.uk/1/hi/uk/7859968.stm>, last accessed 26th April 2009.

At the same time, serious efforts have been devoted to ensuring that the CEE workers are covered by collective agreements. A large number of blockades and industrial conflicts have been implemented under comprehensive media coverage in order to prevent employers from taking advantage of the presence of accession workers for exerting pressure on the wage levels. Breaking with tradition, all local unions in Copenhagen have decided to help non-unionized CEE workers, under the assumption that the rumour will spread and more workers will join the unions in the long run. At the same time, the unions have had to priorities their resources on the basis of a clear assessment of the principles involved in the specific matter, its scope and the possibilities for recouping the costs. As a general principle, three to six months' membership dues will be subtracted from funds recouped for non-unionized workers from delinquent employers. In practice, however, few CEE workers remain as members following the expiry of this period. This is also a general impression with regard to those accession workers who join voluntarily. Part of this attrition could be explained by the circumstance that the CEE workers find it difficult to pay the regular dues, because this must be done electronically. Other causes could include their return home, and that they therefore no longer have an interest in remaining members. Under any circumstances, the efforts undertaken to unionize CEE workers are regarded as a Sisyphean task by many local union officials, where the results are not in proportion to the efforts involved. All three local unions in Copenhagen report that they have only been able to deal with this important issue to a limited extent. It is exceedingly difficult to obtain any exact figures on the number of foreign members of the construction-industry unions in Copenhagen. All members pay the same dues, and only TIB keeps records of foreign origin among its members. At the end of September 2008 it was estimated that the three local unions combined had a total of 300 Eastern European members in a total membership of just under 9000 persons.

Norway - Oslo

In Norway, Fellesforbundet in particular has promoted unionization of labour migrants, especially in the construction industry. The obvious cause for this choice is found in the number of migrant workers employed by this sector. However, Fellesforbundet is also organising in other sectors that employ workers from the accession countries, including agriculture, manufacturing and hotels/catering, and the efforts to increase unionization rates have been less successful in these industries. For many years the union has undertaken active efforts to eliminate dishonest practices in the construction industry and to address problems associated with social dumping. The efforts to recruit and unionize labour migrants have been initiated more recently, and picked up speed only in 2006. At the union level, these efforts are described as a logical continuation of the efforts to prevent social dumping. In the autumn of 2006, Poles accounted for a total of nine per cent of the membership of the two local construction workers' unions in Oslo (Oslo Bygningsarbeiderforening and Tømrer og Byggfagforeningen). Since then, the number of Polish members has increased considerably. In 2008, the unions reported that *a total of 40 per cent* of their members came from the accession states, with a majority from Poland. At the national level, Fellesforbundet in the spring of 2008 estimated that they had 4,000-5,000 Polish members, mostly in the construction industry, but the union also organizes Polish workers in the metalworking industries. The total national membership of Fellesforbundet in the construction industry constitutes approximately 22,000 persons. However, most of the CEE construction workers in Norway remain non-unionized, and they have a lower rate of unionization than the Norwegian average. In the autumn of 2006, a total of 14 per cent of the Polish construction workers in Oslo were union members, which must be regarded as a high proportion in this context (Eldring 2007). The unionization rate appears to have risen since that time, in light of the growth in the membership figures for the relevant unions in Oslo.

The efforts to recruit Polish labour migrants were initiated by the unions in 2004-2005. Initially, the recruitment of Polish members was mainly effected in the form of assistance provided by the union for solving problems. Non-unionized workers approached the union office and joined the union in order to receive assistance. Internally within the unions, there were discussions whether it was appropriate to assist persons who at the outset were not members. In the aftermath, the strategy was deemed appropriate and successful, and reports indicate that the Norwegian members have responded well to the situation. According to their statutes, the union can provide assistance only to persons who hold a union membership *prior to* the submission of a plea, but the union has accepted the flexible approach chosen by the local chapters in order to gain a foothold in the migrant communities. The presently prevailing attitude, however, is that the unions have become well known, and the central union organization has signalled that the statutes should be enforced. The Polish workers are regular members of the unions, and most of them pay their union dues in the standard manner through a deduction from

their pay cheques. Gradually, the Polish members have joined in the more regular activities, and the unions' boards now also include Polish board members.

The central level, as well as the local unions in Oslo, emphasizes that local enthusiasts have strongly contributed to the union's success in recruiting labour migrants. The informants further emphasise that the generally applied collective agreement has become a key instrument for the efforts to increase unionisation: "*The general application of the agreement means that we can recruit more members. Without the general application we must demand a collective agreement before we can claim any rights in terms of wages. When the agreement has been made applicable to all, we can help individual members.*" (Representative of Fellesforbundet)

Another factor which is emphasized is that the unions and their local chapters have adhered to the principle that they should not enact any measures or take any action that would cause labour migrants to be expelled from the country. This principle is emphasized as a key to the establishment of confidence among the CEE workers.

UK – North East of England

The overall response of UK unions to this unprecedented migration has been inclusive (Fitzgerald and Hardy 2008), including in construction (UCATT 2007). Unions have undertaken a range of initiatives to engage and recruit CEE workers. This was most clear following the early impact of the migration when unions began to encounter groupings of CEE workers in large workplaces. The TUC encouraged its regional offices to bid for funding to undertake initial mapping and exploratory work with regard to these newly arrived workers. The UK findings here are from the North East project which was one of three main projects undertaken; a number of smaller regional initiatives were also supported in other areas. Significantly in the North West project the regional TUC liaised with the Polish trade union Solidarnosc and a national organiser worked in the region for three months, he also spent one week working on the North East project.

The North East construction sector is both notoriously insular and transitory with workers moving from one North East site to another (IFF Research 2005). Given this UCATT recruitment and retention relies on local knowledge from site agents and others regarding newly arrived subcontractors; site based lay representatives; the diligence of full-time officials as they move from site to site; good working relationships with main contractors and local subcontractors; and the national WRA, which is the backbone of negotiation at a local level. The union endeavour to have a summary of the WRA in each site canteen.

The project began by firstly having a UCATT representatives and full time officials workshop to dispel a number of potential myths surrounding newly arrived CEE workers. At this meeting an English speaking Pole was introduced who essentially 'told his story' and reported some of the poor conditions that Polish construction workers in the North East were suffering. This was an early signal to UCATT activists and members that the union was supporting and actively seeking to recruit newly arrived migrant workers.

Secondly, following an initial mapping of new migrants it was confirmed that the vast majority were not only Polish but that they were sparsely located in small groups of no more than 20-30 on a disparate number of construction sites around the region. Therefore the central feature of the UCATT strategy was to follow the current practice above trying to provide a noticeable presence at sites with Polish migrant workers throughout the period of the project. What became evident at an early stage was that there was an outright hostility of sub-contractors employing these Polish workers. This included recorded violence against Polish workers, union officials and the project team (Fitzgerald 2006). The UCATT regional secretary commented that there was a danger that these poor practices may begin to become more common and many years of secured terms and conditions would be lost.

Tied into the significant issue of employer hostility were a number of other main issues which included poor accommodation often found to be 'tied' to employment; an inability to secure bank accounts which meant loss of earnings; and poor conditions of employment far below the WRA. The poor conditions of employment ranged from illegal contracts of employment; lack of wage slips; dangerous health and safety with and significantly wages as low as £2-£3 per hour which were not only below the UK national minimum wage but the WRA rate which laid down a minimum £6.77 for a labourer and £9.00 per hour for a bricklayer. Local rates at the time for a bricklayer were £14-15 per hour.

Over the period of the project most of these issues were dealt with and the project was generally seen as a success. Due to its pioneering nature it received a sizeable amount of attention compared to its low scale funding and resourcing. The key issues for UCATT and the project team with regard to the Poles was that as a new 'community' in the region it was very difficult to establish representative contact. Initially English speaking Poles were identified in groups of workers but some of these either moved sector or were paid higher by the employer. Early approaches were slowed by the need to develop trust and Fitzgerald (2006) identifies that many of the workers spoken to exhibited the attributes of undocumented workers unaware of their legal right. Towards the end of the project a Solidarnosc national organiser came to the region and working with him was very productive. The union itself also undertook a lengthy period of discussion and negotiation with both key migrant worker subcontractors and main contractors which eventually proved a success with regard to the treat of violence and the undermining of the WRA.

DISCUSSION AND CONCLUSIONS

As most of the trade unions involved have not directly identified ethnicity when recruiting new members, it is hard to give precise figures to the number of CEE union members. However, it is believed on the evidence of our studies that the Norwegian unions have enjoyed a greater degree of success in their attempts to unionise CEE workers than their Danish and UK counterparts. It can be argued that the Polish construction workers in Denmark and the UK most likely are no different from those who have travelled to Norway in terms of their political or ideological attitudes to trade unions. The survey among Polish worker in Oslo indicated that to the extent that ideology or normative attitudes influence the decisions of Polish workers with regard to union membership, it appears as if these would induce them to join, rather than the opposite (Eldring 2007). This conclusion is consistent with findings from a study of Polish labour migrants in the UK. When asked why they would choose to join, many pointed to the need for a "sword of justice" and collectivist values, to a higher extent than more individually oriented needs and self-interest (Anderson et al. 2007). Experience gained from recruitment efforts in the construction industry in the UK indicates the same trend (Fitzgerald and Hardy 2008).

A central argument of our paper is that trade unions can make an important contribution with regard to integrating migrants. However, they are faced with crucial dilemmas when it comes to inclusion with migrant workers used as low-wage alternatives (Penninx and Roosblad 2000). Among these dilemmas is the question of the effort that should be put into organising migrant workers and opposing social dumping. Strong unions might not feel the need to tackle these problems while weaker unions may not have the required resources. This is likely to affect adopted strategies. A further issue is that efforts to integrate migrant workers may lead to the revival of a more activist approach at the expense of official union officers. Thus classic questions arise regarding resource allocation for organising and power struggles between fractions within a union (Kelly & Heery 1989). Unions may also choose to seek with new allies among the new actors of industrial relations (Heery and Frege 2006), which U Catt have successfully done in the UK (Fitzgerald, 2007). At the same time external constraints are put on unions activities channels of migration and migrant employment status (posted, self-employed or directly employed) affects unions' opportunity to both organise and help migrant workers (Andersen & Hansen 2008). More generally the employers' relation to the national system of industrial relations may affect their willingness to cooperate with unions on this issue of organisation, and thus affect union response strategies to migrant workers (McGovern 2007).

The discussion above shows that Danish, Norwegian and UK trade unions alike have taken an explicit stand regarding the first dilemma raised by labour immigration, in that they have accepted the recruitment of foreign labour, but made this acceptance subject to the condition that the workers should be employed on equal terms with host workers. These requirements regarding labour conditions have been promoted in relation to authorities as well as employers in both countries, even though some differences remain with regard to the specific regulation of wage levels and working conditions. In the UK, the trade unions' influence with regard to equal conditions is more limited. U Catt and the other construction unions are restrained by a lack of membership and the large number of very small building contractors present on sites. With regard to Penninx and Roosblad (2000) migrants have been included as regular members in all the three countries however there are issues over the sustainability of membership due to the transient nature of construction work and employment relations.

On the other hand, there have been major variations in the trade unions' responses and outcomes with regard to the other set of strategies described by Kahmann, concerning responses targeting employers. At the same time it is worth noting that the practical recruitment efforts mainly have taken place locally, and focus should therefore be put on the activities of the local unions in order to gain an understanding of the actual strategies that have been followed. Locally based initiatives have undoubtedly had a large effect on the success in recruiting CEE workers. In all the three cases we find many examples of enthusiastic local activist and local unions. Their recruitment efforts have made a strong impact, and have often been portrayed as activities of an exemplary character by the media. Without these enthusiasts, the nationwide drive to increase unionisation would most likely have not been as effective. It should therefore be noted that the unions' approach to the dilemmas outlined by Penninx and Roosblad should not necessarily be perceived as choices made at a certain point in a formalised process, but rather as a fact that emerges by way of practical activities that are dependent on institutional and historical circumstances, and not least on factors that are embedded in a local context. Comparing Denmark and Norway, one key explanation for how apparently identical frameworks and purported strategies can result in widely differing outcomes in terms of recruitment of labour immigrants can probably be found in the institutional dissimilarities in the two countries' traditions for handling conflict (Evju 2008). In the Danish labour market, the legal opportunities to take industrial action are wider, and historically this has resulted in a far higher number of labour conflicts (Stokke and Thörnqvist 2001). The Danish unions' activities that aim to establish collective agreements may have appeared more aggressive in the eyes of migrant workers, while the Norwegian and UK unions may have had a more convincing solidarity approach, and focussed more on providing assistance to individuals. The Danish trade unions are larger and more powerful than their sister organisations in Norway and UK and appear to a greater degree as monitors and administrators of the industry, rather than as organisers and activists. To the labour immigrants, this latter role may inspire more confidence. On the other hand, organisational strength is also essential to ensure recruitment and may explain the reported stronger outcome of the Norwegian unions compared to the UK unions when it comes to migrant trade union members.

The comparative analysis shows, that all three strategic areas described by Kahmann should be considered in an explanation of the differing outcomes of union activities. Some research on trade union recruitment has focused on what Kahmann would refer to as the autonomous activities of unions (see Heery et al. 2000 and 2003). While our investigations indicate that unions must undertake coherent efforts along several dimensions in order to be successful in recruiting labour immigrants.

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