Final Conference: Strengthening Social Dialogue in the Agri-Food Sector

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The transposition of the EU Directive on Adequate Minimum Wages in the EU-27

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Content of presentation

1. The Transposition and impact of the Directive

Some general trends

2. Transposition and impact in the field of MW

Key role of reference values

3. Transposition and impact in the field of CB

Key role of action plans

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Preliminary Assessment

Impact of the Minimum Wage Directive

Two dimensions of impact:

- **Formal Transposition**:
  Substantial legislative changes in response to Directive
- **Political influence**:
  Agenda-setting and discourse about **(adequate)** minimum wages and collective bargaining

The two dimensions are closely linked but are not the same: Only by taking both dimensions into account can we assess the **real** impact!

Formal Transposition: state of play

(mid January 2026)

Not Transposed	Transposed	
6,5 Laggards	11 Minimalists	9,5 Frontrunners
Bulgaria, Cyprus, Estonia, Luxembourg, (Poland), Portugal, Spain	Austria, Croatia, Denmark, Finland, France, Germany, Ireland, Italy, Netherlands Slovenia, Sweden	Belgium, Czechia, Greece, Hungary, Latvia, Lithuania, Malta, Romania, Slovakia, (Poland)

Impact of the Directive on Minimum Wages

Article 5.4 EMWD:

"Member States shall use indicative reference values to guide their assessment of adequacy of statutory minimum wages. To that end, they may use indicative reference values commonly used at international level such as 60 % of the gross median wage and 50 % of the gross average wage, and/or indicative reference values used at national level"

Actual meaning:

- MS are required to use reference values
- They are free to decide the type and level
- Strongly recommended to use Kaitz Index

Use of reference values in practice

Percentage of gross average and/or median wage (Kaitz Index)			Other reference value	
Level of the Directive	Higher than in Directive	Lower than in Directive	% of net average / median wage	Living Costs
50% average: Belgium, Bulgaria, Estonia (by 2028), Hungary (by 2029) **60% median**: Germany, Ireland (by 2029) **Both**: Croatia	**55% of average**: Poland (draft law) **60% of average**: Slovakia	**46% average**: Latvia **47% of average**: Czechia (by 2029) **45-50% of average**: Lithuania **47-52% of average**: Romania **50% of median**: Netherlands /draft law)	**60% of net average and 50% of net median**: France **60% of net average**: Spain	**Net MW to be set at 120-140% of the minimum living costs**: Slovenia
7 countries	2 countries	5 countries	2 countries	1 country

Implementation of reference values

Enshrined into Law		Political Guideline	
Before Transposition	In Context of Transposition	Setting MW	Assessing Adequacy
Bulgaria Ireland Latvia Slovakia Slovenia	Belgium Czechia Poland Romania	Croatia Estonia Hungary Lithuania Spain	France Germany

Impact of the Directive on Minimum Wages

- **Strongest impact** in countries in which reference values are **enshrined in law** and used for **MW adjustment** (and not just for assessing adequacy)

- Closest to **living wage**: Slovenia with adjustment according to **minimum living costs**

- Use as **political guideline** subjects reference values to **changing political priorities**

Impact of the Directive on Collective Bargaining

Directive offers two approaches to promote CB:

- **Legal changes in the context of the transposition with the deadline of 15 November 2024**
- **Establishment of Action Plan with deadline of end of 2025**

➔ **Some Member States refrained from legal changes on CB arguing that any changes to CB will be dealt with by Action Plan**

➔ **Only four countries introduced legislative changes on CB: Belgium, Czechia, Malta, Slovakia (and Poland)**

Formal Transposition: Legislative changes on CB

The legislative changes in the context of the transposition mainly concern three areas:

- **strengthening the protection of workers and trade unionists from discrimination when exercising their right to collective bargaining and to unionize;**
- **facilitating the conclusion and extension of collective agreements;**
- **improving the collection of data on collective agreements to have a sounder empirical base for measuring collective bargaining coverage**

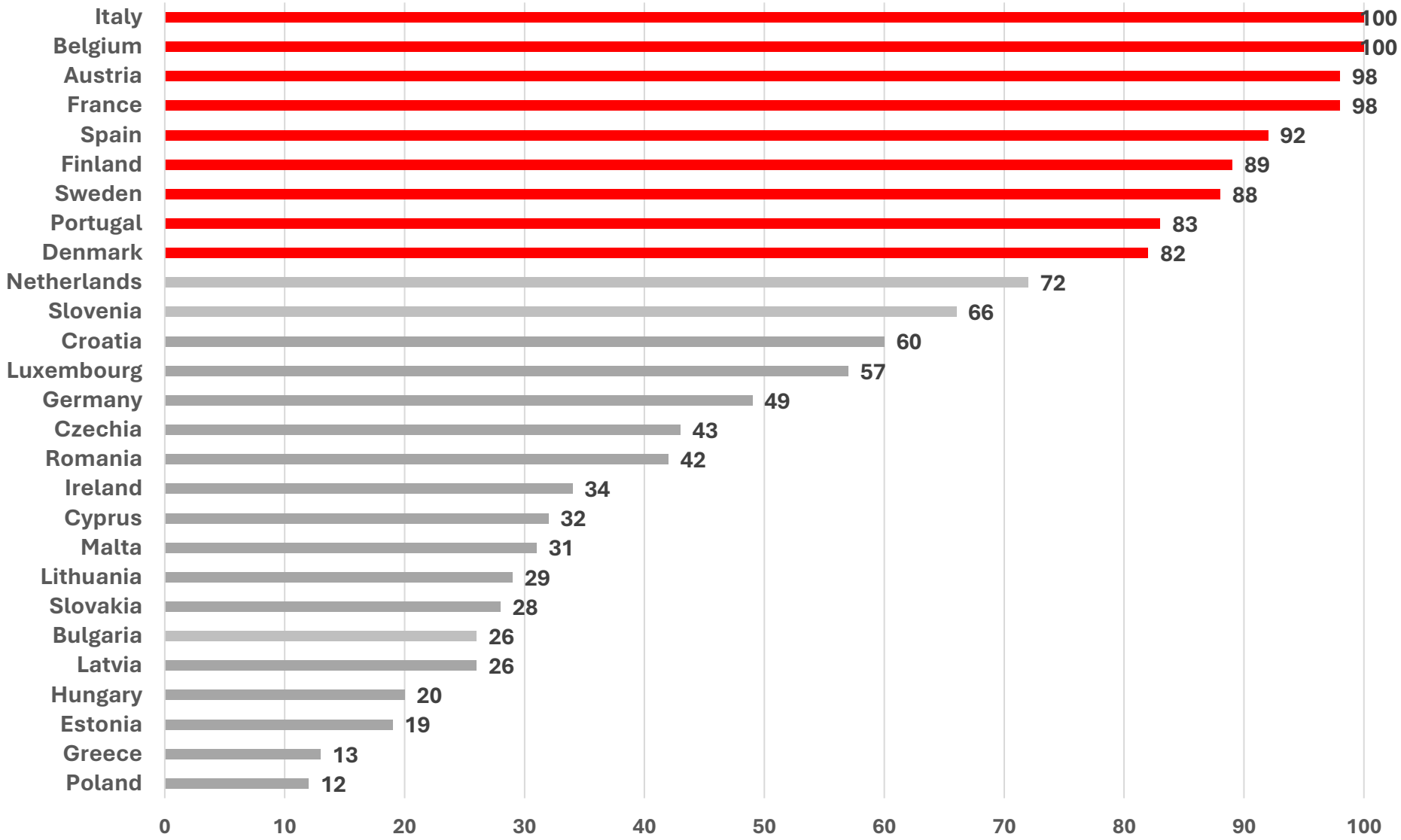
Political influence on CB developments

Main mechanism: tool for progressive actors to push CB issues on the political agenda

- Reforms in **Portugal, Romania and Spain** in the 'shadow of the Directive' in 2022/2023
- **Bulgaria**: making obstruction of union organizing a criminal offence (2023)
- **Germany**: Federal law on public procurement (2026)
- **Ireland**: Establishment of LEEF High-level Working Group "to review CB and IR landscape … to meet obligations of EU law" (2021)

CB coverage in EU Member States

(in %; 2024 or most recent year available)



Only **9 countries** meet the 80% reference value for adequate CB coverage.

This means that **18 Member States** need to establish an Action Plan to promote CB.

Source: OECD-AIAS ICTWSS Database, Version October 2025

Action plans: state of play

Have submitted a NAP	Have NOT submitted a NAP yet	Are NOT required to submit a NAP
Czech Republic	Bulgaria	Austria
Estonia	Croatia	Belgium
Greece	Cyprus	Denmark
Ireland	Germany	France
Latvia	Hungary	Finland
Lithuania	Luxembourg	Italy
Malta	Slovenia	Portugal
Netherlands		Spain
Poland		Sweden
Romania		
Slovakia		

Content of Action Plans: “Soft” Measures

Quality and availability of data on CB and CAs	Awareness-creating	Research on different aspects of CB
Czechia	Czechia	Czechia
Estonia	Estonia	Estonia
Greece	Greece	Greece
Ireland	Ireland	Ireland
Poland	Latvia	Latvia
Romania	Lithuania	Lithuania
Slovakia	Poland	Netherlands
	Romania	Poland

Content of Action Plans: Institutional measures aimed at unions and employers

Legal protection for union reps	Union access to workplaces	Tax relief for union fees	Incentives for employers	Capacity building
Ireland **Netherlands**	**Ireland** **Netherlands**	**Ireland**	**Estonia** (Derogation from law in regulating working time) **Poland** (to be discussed: tax incentives; access to training fund)	**Czechia** **Greece** **Ireland** **Lithuania** **Malta** **Netherlands** **Poland** **Romania** **Slovakia**

Content of Action Plans: State support via institutional & legislative changes

Facilitating extension of CAs	Public Procurement	Ultra-activity after expiry of CA	Other measures
Greece **Malta** **Poland**	**Netherlands** **Poland**	**Greece**	**Greece** (Speeding up Arbitration process) **Poland** (Expanding issues to be negotiated) **Malta** (High-level General Agreement) **Romania** (Strengthening labour inspectorate)

Preliminary Assessment of Action Plans

Often no or rather vague timeframe and only weak participation
of unions/employers' associations on the implementation process

Strong focus on Soft Issues:
Better Data, More Research, Creation of Awareness

Measures for Capacity Building and Strengthening of
Unions/Employer's Associations are often rather vague

Only a few legal Measures to improve
the Institutional Structure of Collective Bargaining

Conclusions: keeping up the pressure

Key finding: **significant impact** of the Directive on CB across EU

Progress in danger because of **decreasing support** from European and national policy-makers:

- Re-emergence of **competitiveness narrative**
- 6,5 countries have still **not transposed** the Directive
- 11 countries with **minimalist approach** to transposition

We need a **"European Action Plan"** to promote CB to keep up the pressure on policy-makers!!!

Important role of Commission…

… in ensuring proper implementation of Action Plans

- **Monitoring** of Action Plans and **ensuring effectiveness** of Action Plans: revision of Action Plans if insufficient
- Ensuring **compliance with deadline** for submission of Action Plans: sanctions for laggards
- Initiating **further measures** to promote CB: Action Plan for the European Commission

Action Plan for the Commission

Action Plan to promote Collective Bargaining for the European Commission:

- Revision of **public procurement** Directives
- Ensure **proper implementation** of all EU instruments addressing CB
- Introducing **CB conditionality** linking financial support of MS to serious efforts to promote CB and to increase CB coverage
- Integrating the **promotion of CB** into the annual procedure of socio-economic coordination and surveillance in the context of the **European Semester**
- Maintaining financial support for **capacity-building measures** aimed at promoting CB

Thank you very much for your attention!

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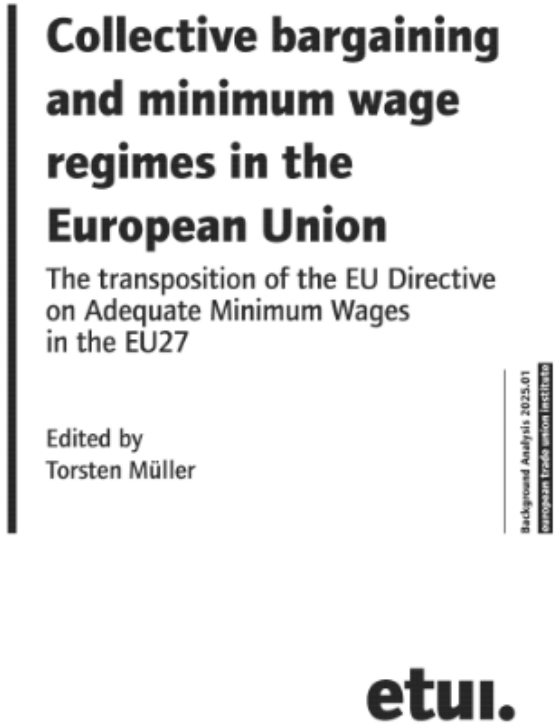

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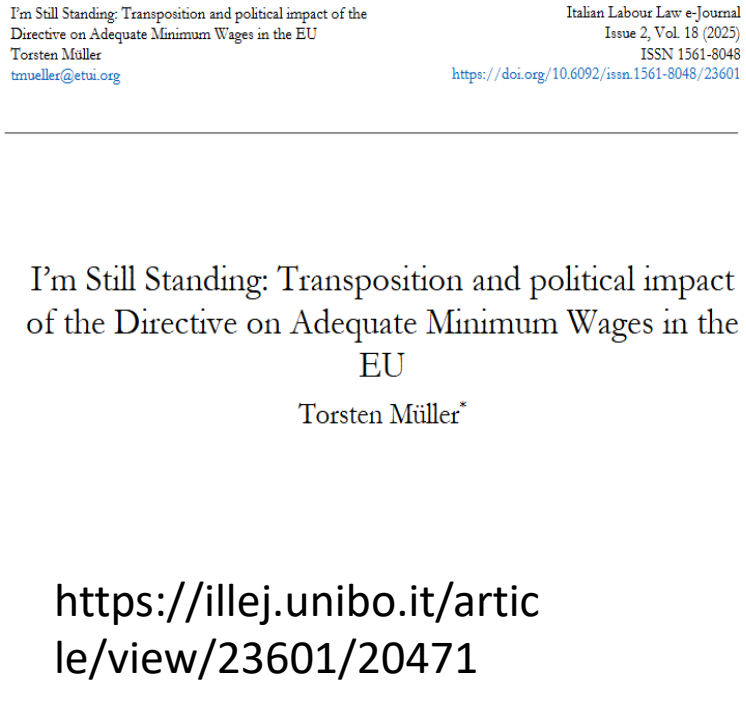
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