

RESEARCH

Trade unions' solidarity at a transnational level as a challenge

The controversy surrounding the European minimum wage directive

Irene Dingeldey*, Ilana Nussbaum Bitran**

Abstract

With the European Minimum Wage Directive (EMWD), the EU took an important step towards a *more* social Europe. We underline that national and transnational trade union organisations enacted different forms of transnational solidarity to support and object to the directive. We argue that solidarity, as a multi-faceted concept, can be inclusive when it refers to a broader collective, aiming to achieve a common good that benefits more than just the original constituency. However, we also discuss preconditions for this form of transnational solidarity. The result is not morally better or worse than a form of particularistic solidarity used to defend only national interests at the transnational level. In this article, we elaborate on and defend our proposed conceptualisation of transnational solidarity in issue 2023/2, which was criticised by Höpner and Kiecker in issue 2025/1 of this journal. Even more, we show the impact the EMWD has already had at the national level to effectively improve minimum wage income – contesting the argument of some opposing trade unions that it would not be successful.

Keywords: European minimum wage, transnational solidarity, trade unions

“The Internationale,” Eugène Pottier’s battle song of the socialist labour movement from 1871, serves as an ancient call for international solidarity that has spread worldwide. Ideologically based on Marx and Engels’ call, “Workers of the world, unite!”, it is a rallying cry for unity. Globalisation, however, has even increased the segmentation

* Institute Labour and Economy (iaw), University of Bremen, Domshof 26, 28195 Bremen, e-mail: dingeldey@uni-bremen.de

** Institute Labour and Economy (iaw), University of Bremen, Domshof 26, 28195 Bremen, e-mail: nussbaum@uni-bremen.de

of the workforce compared to ancient days. Production in global value chains very much relies on differences of wage levels, work-related and political regulation. The fragmentation of production and distribution in so-called high- and low-wage countries, but also among national and migrant workers with different employment status and wage levels, allows employers to make high profits. This creates high levels of competition with regard to production locations, as well as between different groups of workers for employment and wages, both on a global and local level. Due to this heterogeneity of working and living conditions in different countries and among different groups of workers, international solidarity is even more difficult to achieve than solidarity at the national level. It requires the concept of an *extended us* (Mayer-Ahuja 2024) – beyond the original group, beyond borders and different nationalities, along with their respective rules and traditions of workers' organisation. However, such processes seem to be necessary in order to enforce common goals aimed at improving and standardising the working and living conditions of employees, with the ultimate aim of establishing transnational labour regulations and a transnational or international welfare system – even if this aim may be reached only in a far future.

This is how things usually should be done by union organisations operating at the EU level, even though the EU is a supranational organisation, not an international one. To illustrate how challenging this is, we developed a theoretical framework paying particular attention to different forms of solidarity among trade unions and employers' associations at a transnational level, which was applied to the emergence of the European Directive on Adequate Minimum Wages (EMWD, (EU) 2022/2041) of October 2022 and published in this journal (2/2023) with the title "Transnational solidarity in the world of work? Theoretical framework applied to the European Minimum Wage Directive." Martin Höpner and Maximilian Kiecker contested our results in their article "Particularistic Solidarity?" (1/2025). Explaining the Nordic Opposition against the European Minimum Wage Directive." We are happy to take up this opportunity to refine our original concept of different forms of (transnational) solidarity. We address some misunderstandings and demonstrate that the authors' criticism highlights the accuracy of our argument to interpret various positions of national trade unions on the EMWD. Moreover, we take the opportunity to indicate positive effects of the EMWD on national minimum wages and supposedly on low-wage employment in many European countries. This finally emphasises the transformative nature of inclusive solidarity at a transnational level, as well as the support that non-binding social regulations at a European level can provide for the demands and power resources of national trade unions. This may counteract the low expectations of both Danish and Swedish trade unions and of Höpner and Kiecker in this respect.

Solidarity as a multi-faceted concept

Solidarity is a multi-faceted and ambiguous concept. It has a long history in sociological and political theory, but also as a socio-political frame. The latter has been proclaimed as a central element of the workers' class struggle for almost two centuries (Stjernø 2011). To cut short, we referred to Lessenich, Reder, and Süß (2020), who understand that the concept of solidarity includes different dimensions, defined by a tension between two poles, namely social and political, individualist behaviour and institutionalised norm, particularism and universalism, unilateralism and reciprocity, and finally between stabilising and transformative functions. In spite of the ambiguity inherent to the concept of solidarity, there is a wider consensus about the circumstances in which solidarity action may emerge. Acknowledged premises are a shared identity, specific borders (of a group), stabilisation mechanisms and a certain level of interaction within the group (Engler 2016: 48). Overall, when we look for transnational solidarity, these preconditions are hardly to be found *per se*; hence, bridging and bonding as processes are necessary to overcome existing heterogeneity, create a kind of shared identity to stabilise the group and enable joint action (Morgan and Pulignano 2020).

When we use these understandings to research workers' and unions' solidarity in the European Union, we deal with collective action and cooperation of and between different national organisations on a transnational level. We understand this kind of political solidarity to be motivated by *self*-interest to improve working conditions and organisational power for national members and organisations, as well as foster trust and reciprocity, in order to create a process of organisational institutionalisation at a transnational level. Examples of this kind of institution building are the foundation of transnational umbrella organisations such as the European Trade Union Confederation (ETUC), but also of many sectoral union federations at the European level. This is combined with the motive to realise common goals to achieve codetermination and social rights on the European level, i.e., the European Works Council Directive or rules of fair working conditions.¹

Drawing on these premises, the research on trade unions' support and rejection of the EMWD addresses a multi-level system of collective actors that may be inspired by various motives and forms of solidarity. In our original contribution (Dingeldey and Nussbaum Bitran 2023), we therefore asked, "Which forms of solidarity have been enacted by whom?" Our primary objective was to demonstrate that actors at

1 However, the concept of solidarity may also be applied to states as a founding idea of the EU (Knodt and Tews 2014: 7), distinguished as intergovernmental solidarity (Knodt et al. 2015). And even employers' organisations may act in solidarity to, for example, join their power resources in decision-making processes.

the transnational level exhibit various forms of solidarity. Accordingly, the developed typology differentiates functional, particularistic and inclusive solidarity. The three types are assigned to different motives of action: The first addresses (solidarity-based) joint action to increase power positions, the second is to overall achieve social improvements for the original group members, while the third goes beyond the original group interests, emphasising goals to benefit an *extended us* (Dingeldey and Nussbaum Bitran 2023). Hence, the central element of “Inclusive Solidarity” is meant to pursue policies that would benefit and integrate different groups to form an extended group that promotes shared goals to enact a common institutional social setting.

The three types are understood as analytical categories that should not be associated with moral connotations of better or worse but rather interpreted in terms of their capacity to build transnational joint action and transnational collective constituencies. This goes along with a general understanding formulated clearly by Engler, namely that

“Solidarity is not inherently good or bad but simply refers to a group’s ability to encourage its members to cooperate or make sacrifices. It can be strong or weak, stable or unstable. Solidarity can lead to socially disadvantaged members of a group being supported, but it can also lead to outsiders or ‘strangers’ being marginalised, excluded or fought against” (translated from Engler 2016: 32).

All three types of solidarity can be enacted at the transnational level. Functional solidarity would, for example, explain the establishment of the ETUC as a joint body to represent trade union interests within the opportunity structures and arenas preconfigured by the European authorities (Müller and Platzer 2019: 312). Particular solidarity is used to protect national interests of (a sub-group of) trade union organisations, while inclusive solidarity – according to our definition – would enhance goals to address the (regulation) of working conditions that do not only protect the own national constituency but also support workers in other countries.

We draw on Scharpf’s (1996; 2014) ideas of negative and positive integration. Measures directed to increase market integration through the elimination of (national) barriers to trade and competition – he calls negative integration. In contrast, measures directed at European policies which shape the conditions of market operations, he calls positive integration (Scharpf 1996). Scharpf argues that positive integration is much more complex than negative integration given that it requires the agreement of governments in the Council on, for example, *joint institutions*, and thus it is prone to problems of intergovernmental policy-making. In contrast, negative integration is easier to achieve, as it aims at the abolishment of (national) regulation. Trade unions, however, may tend to prefer positive integration, because overall in

the field of social policy it gives hope to regain at the European level what has been lost or has not been reached at the national level (Scharpf 1996: 2). This, however, requires communicative processes and identity building to overcome a substantial heterogeneity of interests within the trade union movement and, respectively, the working class to find compromise. A fact that may be interpreted as a structural power deficit – compared to employers compromising more easily on negative integration (Dingeldey and Nussbaum Bitran 2023).

Against that background, the EMWD has not only been understood as a paradigm shift towards a social Europe (Schulten and Müller 2021), but also as a move towards positive European integration. It challenged the classic *modus operandi* of EU policy and governance in the field of (minimum) wage formation, not just constraining national policy autonomy but rather promoting common standards and capacity-building (Schreurs and Huguenot-Noël 2024).

From a labour perspective, the establishment of the EMWD may be seen as a kind of common good, which could further increase labour power at both the national and transnational levels to improve working and living conditions. This at least is supported by the interpretation that this process was a result of an unexpected (re-) emergence of a multilevel politics of labour power in the EU (Schreurs and Huguenot-Noël 2024). Accordingly, we interpret the support of the EMWD by union organisations as inclusive solidarity, namely the reflection of interests beyond the national constituency. It is an expression of the will to support other national unions as a means of taking a step forward towards positive integration and building a European welfare system for the benefit of *European workers*.

We nevertheless acknowledge that due to the heterogeneity of systems of industrial relations and related traditions of organisation and interests, it is not easy to find a compromise on common goals and might even be impossible with respect to particular issues. Here, the decision-making process concerning the EMWD seems to be an adequate example to study the respective problems. In order to do that, we analyse the positions of the different trade unions and the ETUC with respect to the EMWD in more detail below.

We defend our thesis that, according to our definitions, Denmark and Sweden followed a form of particularistic solidarity, defending only national interests. A fact that is underlined by the contribution of Höpner and Kiecker (2025), as the given reasoning for the position of the respective countries is based solely on arguments underlining their national interests. As we use the different types of solidarity in analytical and not normative terms, however, we do not judge such a position as morally *worse* than the position of other actors – just to correct the misinterpretation by Höpner and Kiecker (2025: 43). Additionally, we would like to clarify that, although the counterpart of '*particularistic*' is usually '*universal*', in order to describe the two ends of a continuum of the scope of solidarity action (Lessenich et al. 2020), we

intentionally used '*inclusive*' within our analytical typology to indicate a *move* towards broadening interests to benefit an expanded group. This is because, according to our understanding, universal forms of solidarity should be considered an ideal that is rarely achieved in reality. As long as solidarity is group-based, it is hardly universal as a rule. Even a global movement to reduce global pollution would probably hit different group interests when concrete measures are suggested to achieve this goal. Accordingly, we never assumed that the ETUC was guided by a universal form of solidarity when promoting the EMWD, and we are happy to clear also this misinterpretation by Höpner and Kiecker (2025).

But we underline again that the support of the EMWD might be recognised as a (small) movement towards a Social Europe, and we adhere to the belief that this was achieved through inclusive solidarity at a transnational level. However, we acknowledge the general ambivalence surrounding the concept of solidarity. Referring to the different motives to support the EMWD, we indicate that also inclusive solidarity often goes along with self-interest – as forms of political solidarity do in general. Many actors who supported the EMWD at least combined this with the motive to also support union organisations in other countries to enable joint regulation for an *extended use*. But – as lined out – even if certain goals are promoted by inclusive solidarity, these are hardly to be universal and may not serve the interests of *all* members of a given group. If the respective goals are nevertheless enforced by a majority against the interests of a minority, new forms of *exclusion* within the group are created that may lead to resistance – or, as expressed by others, to *voice* and *exit* (Hirschman 1970; Dingeldey and Nussbaum Bitran 2023).²

Proposition, support and rejection of the European minimum wage directive

So far, European integration is seen to have affected the power relations between capital and labour to the disadvantage of wage earners (Seikel 2023). Most influential were the rulings of the European Court of Justice (ECJ), which subordinated social rights enshrined in national collective labour law to fundamental individual freedoms – thus weakening overall trade unions' institutional power resources (ibid). With the introduction of a common currency in the eurozone, flexible exchange rates as buffers for national economies were eliminated, and their function has been taken over mostly by employment and wage policy. Moreover, in the sovereign debt

2 This dilemma is well known within all trade union organisations and discussed – among others in the dualisation literature, albeit with respect to the representation of individual groups of workers (Keune 2015; Doellgast et al. 2018).

crises from 2010 onwards, the EU crisis policy – for example, with the memoranda of understanding (Broschinski, 2020: 93) – exerted high wage pressure, particularly in the Southern European crisis countries (Heidenreich, 2022: 146). This contributed to social inequalities in Europe (Heidenreich 2022). An indicator may be the share of low-wage employment, which averaged nearly 15 per cent in 2022, while a share of less than 10 per cent was found only in Sweden, Finland, and Denmark, as well as in Italy, Slovenia, France, and Portugal (Eurostat 2025). After years of neoliberal policymaking exacerbated by the Troika during the financial crisis, the proposition of a European minimum wage directive from the European Parliament in October 2019, backed up by Ursula von der Leyen, already president-designate of the European Commission at that time, was seen as a kind of turning point to strengthen labour power and to make a step towards a social Europe.

On that background the ETUC, supported by the majority of national union organisations, used the emerging window of opportunity to consolidate trade unions' position on the transnational level and strive for joint regulation to pursue not only an increase of minimum wage levels, but also of collective bargaining coverage in order to support workers on low pay and unions facing a decline of negotiation power, which is a reality in many member countries. This position, however, was contested not only by most of the employers in other European countries but also by the Nordics, including not only governments from Denmark, Sweden, Iceland and Norway³, but also employers' and trade union organisations (Dingeldey and Nussbaum Bitran 2023). In the named countries trade union membership and collective bargaining coverage still tend to be very high. A fundamental difference within the group of the Nordics is, however, the legal extension of collective bargaining agreements, which is common practice not only in Finland but also in Iceland and was introduced in Norway in 2008 (Lillie 2022). Overall in Finland and Norway it is used as a backbone of union strategy to ensure decent wages and conditions for migrant workers – in a way substituting a legal minimum wage to guarantee decent wage levels for these workers according to European legislation. Thus, the practice of legal regulation with respect to the work of difficult-to-organise groups on the labour market is acknowledged in these countries (Lillie 2022), which probably furthered that they gave up their opposition to European regulation during the negotiation process. In contrast, Danish and Swedish unions defend an extensive interpretation of collective bargaining autonomy as an essential element of their national systems. They reject state intervention in the form of minimum wage legislation and legal extension of collective bargaining agreements. Bargaining autonomy so far is successful

3 For more details on the process of decision-making, see Schreurs and Huguenot-Noël (2024), Dingeldey and Nussbaum Bitran (2023), and Natili and Ronchi (2024).

to avoid low-wage employment in their countries. But indeed, this model has been challenged already by certain rulings of the ECJ, as for example the Laval and Viking cases. These rulings saw industrial action aimed at enforcing local labour standards of collective bargaining agreements for posted workers as disproportionate interference with the freedom to provide services (see in more detail Höpner and Kiecker 2025). This negative experience may help to understand their objection to regulations of the EU affecting the field of collective bargaining (see below).

Both opponents and supporters of the EMWD drew on the dispute over whether the EU as a legislator is allowed to intervene in regulations concerning wage policy⁴. While paragraph 1(b) of the Treaty on the Functioning of the European Union (TFEU) article 153 allows EU legislation in the area of working conditions, social security and protection of workers, Article 153(5) TFEU neglects these competencies with respect to pay, the right of association, and the right to strike. Accordingly, the EMWD was grounded on paragraph 1(b)⁵ and does not oblige any country to introduce a legal minimum wage, nor directly define wage levels or specify procedures for setting minimum wages at the national level, where such regulations exist. It *only* requires defining a procedural framework for already established minimum wage systems and the enhancement of collective bargaining, leaving these processes to be implemented at the national level (Schulten and Müller 2025). Moreover, not binding suggestions concerning the adequate level of a minimum wage are based on acknowledged international standards such as 60 per cent of median or 50 per cent of average income. However, the proposed level of collective bargaining coverage to be reached is set rather ambitiously at 80 per cent (EMWD, (EU) 2022/2041).

In the final decision of the European Council, only Denmark and Sweden voted against the EMWD in consensus with their social partner organisations. Based on their experience, Danish and Swedish unions saw the rejection of the EMWD as being essential to their organisations. As an extreme kind of protest within the union movement, the Swedish LO temporarily denied paying its fees to the ETUC (Dingeldey and Nussbaum Bitran 2023; also Höpner and Kiecker 2025: 43). Moreover, the Danish government – supported by both social partners and, later, joined by Sweden

4 This reflects the dispute on the nature of minimum wages as social regulation to protect the minimum income of workers at a decent level of subsistence or as intervention in collective bargaining autonomy, which always arises when minimum wage setting is on the political agenda (Dingeldey 2019).

5 This is also in line with several international and European declarations that see an adequate minimum wage as a fundamental right for all workers, such as the UN Universal Declaration of Human Rights of 1948, the International Labour Organisation (ILO) Conventions on Minimum Wages of 1928 and 1970 and the EU Community Charter of Fundamental Social Rights of Workers of 1989 and – most recently – the European Pillar of Social Rights of 2017, to name only a few (Dingeldey et al. 2021).

– brought a lawsuit before the ECJ. With its judgement on the Directive for Adequate Minimum Wages in the EU (Case C-19/23) on 11 November 2025, however, the ECJ confirmed the EMWD in its main points, and only rejected two minor specific provisions (Müller and Schulten 2025).

Different motives of solidarity on a transnational level

A rather detailed analysis of national trade union positions towards the EMWD, authored by Ozols, Hristov, and Paster (2025)⁶, is distinguishing three positions of European unions. According to their analysis, Sweden and Denmark were *domestically orientated opponents*, which is in line with our definition of a form of particularistic solidarity on a transnational level, namely, defending primarily national interests (within a transnational group).

The Danish unions' umbrella organisation FU, according to Ozols et al. (2025), gives two main reasons for the rejection of the EMWD: First, the lack of a legal basis for a minimum wage directive. It is argued that the EU violates the principle of non-involvement in the national wage-setting laid out in Article 153.5 of the TFEU. The second reason is that it will undermine Denmark's collective bargaining system based on voluntarism. A representative of Dansk Metal acknowledged the legitimate interest of other trade unions but claimed that the directive would have no real impact on improving working conditions in European countries with low wages in order to justify their rejection:

“Generally, we believe that [the Directive] might be good for some of our friends in the rest of Europe. [...] We genuinely want to lift [the wages]. But nothing in this directive lifts the wage levels for anyone. If the directive goes through, probably no one in the EU will get a higher wage. But if it were so, we would, of course, be happy for them. But as we see it, nothing in this Directive will help them.” (DK-2).” (Ozols et al. 2025: 384).

The Swedish union representatives also reject legislation or regulation by the state or from outside (meaning the EU), highlighting the characteristics of their national bargaining system: “...the entire system is regulated through collective agreements from the levels of pay to the whole procedure to determining pay.” (Ozols et al. 2025: 384). *Although* they acknowledged interests of unions of other countries in the

6 We reinterpret the interviews conducted by them. The following quotes are cited from their article; therefore, the original codes of the interviews are named, plus the pages of the original article they are cited from.

EMWD, they refer them to improve national action in spite of supranational regulation of an EMWD, as this would be at the cost of Swedish unions:

“Although the directive might aid the low-paid workforce in other member states, it should not be at the expense of Swedish trade unions (SE-4). Interviewees acknowledged that there were ‘obvious reasons’ for European trade unions to support the EMWD (SE-3; SE-6). Despite this, ‘organising’ and ‘building capacity’ were perceived as the right alternatives to the supranational intrusion of the directive. (SE-3; SE-2)” (Ozols et al. 2025: 385).

According to Ozols et al., however, as a compromise, an opt-out option from the directive for the Swedes was suggested: “...at least Swedish trade unions would have been willing to compromise in exchange for an opt-out from the directive (SE-6; SE-5; SE-7).” (Ozols et al. 2025: 385).

Although Danish and Swedish unionists express their support for workers in other countries, the positive effects of the EMWD on higher wages are questioned or set aside in favour of their national interests. Höpner and Kiecker (2025) also lay out in great detail the reasoning of the unions of the two countries to reject the EMWD, indicating that the national models of industrial relations and collective bargaining in Sweden and Denmark indeed already had been challenged overall by certain rulings of the European Court of Justice (ECJ), as, for example, in the Laval case. But although good reasons are given – and we never questioned that Denmark and Sweden acted in full right to defend their national systems – this fully confirms our argument that with respect to the EMWD, Denmark and Sweden did not support the interests of European workers but stuck to their position of defending national interests through particularistic solidarity.

The *domestically orientated supporters* of the EMWD, according to Ozols et al. (2025), were represented by Bulgaria, Germany, Hungary, Latvia, Lithuania and Slovakia. The below-cited exemplary positions indicate that they are explicitly expecting support for their domestic agenda and to boost national collective bargaining coverage by European regulation. Bulgarian unions acknowledge

“the need [...] for [a] clearly defined European mechanism [...] to guide the promotion of collective bargaining’ (BG-1).” (Ozols et al. 2025: 386). Moreover, “the two TUCs believe that the directive would have a positive impact on the Bulgarian collective bargaining system and would increase the already very low remuneration by incentivising business associations to make concessions (BG-1; BG-2).” (Ozols et al. 2025: 386).

Also the German DGB trade union umbrella organisation overall welcomed the EMWD to support demands for national regulations to again increase collective bargaining coverage by legal regulations:

“It makes a lot of sense for Germany because we would have to seek ways and means to get to a decent level of coverage [. . .] We bargain for exactly the reason of this social partnership prerogative over legal regulations” (DE-1). (Ozols et al. 2025: 386).⁷

It might be debatable whether this position is still to be considered as a form of particularistic solidarity, as the displayed motives are based overall on national interests, or whether it is already a form of inclusive solidarity, as together with other national unions they claim for a joint regulation on a transnational level aiming at the creation of European social institutions to benefit European workers.

According to Ozols et al. (2025), only the *externally orientated supporters*, displayed by unions from Austria, Finland, Italy and Spain, explicitly refer “to solidarity with workers and unions in other countries or interest in limiting the scope for wage undercutting (wage dumping) by EU countries with lower wages” (Ozols et al. 2025: 388). In their statements we may recognise most clearly a form of inclusive solidarity, reflecting interests beyond the original, national group. As laid out theoretically, also this position of promoting joint regulations to support an *extended us* is mixed with self-interest, expecting indirect advantages through the limitations of low-wage competition, or conditional on not expecting disadvantages for the own constituency.

The first motive is displayed by a representative of the Austrian TUC:

“We support the general approach of the Directive [. . .]. The Directive does not affect Austria directly, but indirectly it does. Of course, it also affects us if the minimum wage is very low in other countries. It is in our interest that wages in other countries are high. The main reason why we support the Directive is that we believe it makes sense in the overall European structure. But we would not need it [in Austria]’ (AT-1)” (Ozols et al. 2025: 388).

7 The demand of German trade unions for a national legal minimum wage shows a similar controversy as we see on the transnational level. German industrial unions in sectors with still high coverage of collective bargaining objected to the introduction of a legal minimum wage on a national level for a long time but finally supported its introduction in 2015 as atypical and low-wage employment also reached at least the organisational base of the metalworkers' union (Bosch 2018). Meanwhile, collective bargaining coverage has further declined to below 50 per cent on average, with a growing share of uncovered employees not only in certain service sectors but also in manufacturing (Ellguth and Kohaut 2022:329). The changing positions of German unions over time may support the argument made by Kozák, Picot, and Starke (2024: 775) that declining union power encourages legal regulation.

A Finnish trade unionist lines out a position according to the second motive: “[...] *this directive will not do any harm here in Finland, but it might help our colleagues [...]. Why should we be against something that could help other people somewhere else and will not at all harm us? (FI-1).*” (Ozols et al. 2025: 389) (see also Lillie 2022: 499). Although we see even more emphasis on the support of other national unions in the next statement – an expression of inclusive solidarity – also, for the Spanish trade unionists, this is conditional on the EMWD not causing harm to their own constituency.

“[...] the Spanish representative expressed ‘solidarity with countries such as Romania, Bulgaria, Hungary, and the rest of the Eastern countries [...]. Their position is ‘based on the understanding that there must be a reinforcement toward a proper collective bargaining system’. (ES-1).” (Ozols et al. 2025: 390).

To accomplish the different motives for supporting or rejecting the EMWD, the position of the ETUC must be finally reflected.

As an association of associations (Mende 2021: 864), the ETUC itself is a product of transnational coordination and inclusive solidarity but nevertheless also depends on EU subsidies (Hyman and Gumbrell-McCormick 2020: 262). Within the ETUC, national confederations are included in a top-down structure that mirrors the consultation mechanisms between the EU institutions and the social partners. Such forms of interest ‘coordination’ detach the umbrella organisation from its constitutional base of representation and mobilisation (Taylor and Mathers 2002; 2004). Its focus is rather on institution building than on mobilising, as mobilising the power of individual workers is bound to national organisations. European regulation in the field of work reinforces the ETUC’s power position and thus is creating a kind of self-interest to enhance positive European integration. However, being the biggest umbrella organisation of unions at the European level, it is more than any other collective actor representing an *extended us*, namely the European workforce.

With respect to the EMWD, a network analysis identified the ETUC to be the central actor with regard to communication and contacts. Interviews confirmed that overall sectoral trade unions at the European level ‘delegated’ the discussion regarding an EU minimum wage to the ETUC. But also many national unions accepted the ETUC as representing their interests at the European level (Dingeldey and Nussbaum Bitran 2023). Nevertheless, a major challenge to the ETUC is the interest heterogeneity of its members according to different domestic models of industrial relations, working conditions and wage levels (Bernaciak et al. 2014). Finding a joint position to be represented within the consultation process is a great challenge, and often a position of the “lowest common denominator” is chosen (Platzer 1997).

ETUC's motive to support the directive seems to combine the aim of bettering European workers' living standards with the self-interest of its administrative elite to secure its own position of power.

"We think it's very important that there is European action on these issues on the promotion of collective bargaining, on statutory minimum wages guaranteeing the standard of living. So, we fully supported the initiative, and this is the trade union movement position" (Interview ETUC). (cited according to Dingeldey and Nussbaum Bitran 2023: 12).

Although this position may be classified as inclusive solidarity, as it draws on workers' interests beyond national boundaries, it indeed neglects the expressed national interests of some group members, namely Denmark and Sweden. It is not to be traced here why the ETUC and the national supporters of the directive did not advocate an opt-out regulation for Denmark and Sweden as suggested by them. Maybe they did not see such an option to be successful, as differential integration is usually not supported by European decision-makers, as suggested by Höpner and Kiecker (2025: 55). Or maybe they regarded the Commissions' argument as sufficient that the directive only concerns those Member States which have already introduced statutory minimum wages, and as stated in its Article 1, the "full respect of social partners' contractual freedom" remains guaranteed.

To sum up these analyses, we may fix some conclusions with respect to solidarity at the transnational level: 1. The displayed positions of Denmark and Sweden underline that a switch from particularistic to inclusive solidarity at the transnational level seems to be impossible when a contradiction with fundamental national (self-) interests exists – as national principles of autonomous collective bargaining could be. 2. Inclusive solidarity is most likely to be enacted when the promoted goals for an *extended us* include advantages for the original group members (kind of self-interest) or when at least no disadvantages are to be expected. 3. The case of the EMWD demonstrates the challenges to pursue inclusive solidarity at the transnational level and also highlights the already discussed ambivalence and contradictions, as even inclusive solidarity may be exclusive for some when the pursued goals are enforced beyond the interests of a minority. We do not want to assess whether this is legitimate or – according to other definitions – may not be called solidaristic at all. But we want to highlight that the request of unanimity in order to avoid the overruling of minorities would possibly limit the goals of the European trade union movements always to the smallest common denominator and thus definitively weaken their power position to achieve improvements for the European workforce. In this respect, we would like to finally emphasise the benefits of positive European integration, which has

the potential to strengthen national social institutions (Natili and Ronchi 2024: 739), overall in countries where union power is decreasing.

The EMWD's impact on the national level and its insecure future

In contrast to the expectations of Danish and Swedish unions as well as of Höpner and Kiecker (2025), the EMWD already contributed to the increase of (minimum) wages in several European countries. Hence, at least the first part of their interpretation is proved to be wrong:

"As long as the directive is interpreted softly, it promises mainly symbolic gains for the ETUC majority and has at best no impact on Denmark and Sweden. However, if the provisions of the directive are interpreted in terms of individual rights, the Nordics have to fear that this may shake the foundations of their social model" (Höpner and Kiecker 2025: 55)

Furthermore, expected negative consequences so far have not emerged. The Danish as well as the Swedish governments recognised "that the Directive's provisions do not directly affect their national wage-setting systems" (Schulten and Müller 2025). This is interpreted by Schulten and Müller to mean that "their opposition appears to be based more on principle than on any tangible impact on national practice" (Schulten and Müller 2025).

The Directive's intended effects at the national level did not take long to be seen. Already for the year 2024, only two years after the enforcement of the EMWD, national statutory minimum wages in 14 of 22 EU countries rose by at least one per cent in real terms compared with the previous year, and in seven countries the increase was at least five per cent. Even though the growth cannot be completely explained by the implementation and transposition of the EMWD, still, in 2025, some Western European countries with already high increases in their minimum wages were already aiming to reach the Directive's proposed threshold of 60 per cent of the median wage. Even more, Central and Eastern European member countries reached out to 50 per cent of the average wage (Lübker and Schulten 2024; Vacas-Soriano and Aumayr-Pintar 2025).

Hence, it is in the legislation of Central and Eastern European countries where the EMWD has had a major impact (Leitner 2023). A good example is Bulgaria, one of the first member states that transposed the directive in its national law, which now stipulates that the minimum wage should be at least 50 per cent of the gross average wage. Countries such as the Czech Republic, Latvia, Romania and Slovenia passed similar laws with reference values between 46 and 60 per cent of the average wage

(Lübker and Schulten 2025). The Directive has had a positive impact in the Western European countries as well. For example, in Ireland, the implementation of the Directive will raise the minimum wage to a living wage level of 60 per cent of the median wage by 2026. Even a further gradual increase to 66 per cent of the median wage may be considered when the first target has been achieved. Other positive impacts can be tracked in France, the Netherlands and Germany (Lübker and Schulten 2025).

As Germany faces a continuous decline of collective bargaining coverage that now is below 50 per cent (Schulten 2024), the draft bill of the German act on Compliance with Collective Bargaining Agreements (*Tariftreuegesetz*) that was presented in September 2024 can be seen, in part, as compliance with the Directive. This bill states that in the future companies will have to grant their employees working conditions in line with collective agreements when they carry out public contracts and concessions from the federal government. Even though the bill is still to be discussed, it is supposed to be a measure to fulfil the demanded strengthening of collective bargaining, in particular at the sector or cross-industry level, and to create standard regulations to ensure fair competition and to protect workers' rights to adequate wages also beyond the legal minimum.

To see that these first impacts of the Directive are pushing for a more social Europe, the final ruling of the ECJ seems to safeguard the progress made. As mentioned before, already in 2023, the Danish government, supported by both social partners – and later joined by Sweden – brought a case (C-19/23) before the ECJ. Their argument used here was that the EMWD violates Article 153(5) of the Treaty on the Functioning of the European Union (TFEU). The final CJEU judgement on 11th of November 2025 rejected this and clearly validated the conformity of the directive with EU law. The Court took the view that the prohibition of regulation under Article 153(5) TFEU applies only to cases that provide for a direct interference in the determination of pay. Other measures with a more indirect impact on wages remain permissible as instruments for the improvement of working conditions.

The court thus rejected only two specific provisions, namely that criteria like the purchasing power of statutory minimum wages, the general level of wages and their distribution, the growth rate of wages, and long-term national productivity levels and development were given by the EU to set and adapt minimum wage levels. Moreover a non-regression clause applied to statutory minimum wages that are adjusted using an indexation mechanism were annulled. But the ECJ fully confirmed the directive's legal basis in Article 153(1b) TFEU, according to which "the Union shall support and complement the activities of the Member States in the (...) fields of (...) working conditions." (Müller and Schulten, 2025).

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Literature

- Bernaciak, Magdalena, Rebecca Gumbrell-McCormick and Richard Hyman. 2014. "European trade unionism. From crisis to renewal?" *European Trade Union Institute Report* 133.
- Bosch, Gerhard. 2018. "The making of the German minimum wage: a case study of institutional change." *Industrial Relations Journal* 49(1): 19-33.
- Broschinski, Sven. 2020. *Dynamiken von Lohnungleichheiten in Europa: Betriebliche und arbeitsmarktpolitische Anpassungen während der Eurokrise*. Wiesbaden: Springer.
- Dingeldey, Irene. 2019. „Mindestlohn.“ Pp. 719-739 in *Handbuch Sozialpolitik*, edited by H. Obinger and M. G. Schmidt. Wiesbaden: Springer VS.
- Dingeldey, Irene, Thorsten Schulten and Damian Grimshaw. 2021. "Introduction: Minimum wage regimes in Europe and selected developing countries." Pp. 1-16 in *Minimum Wage Regimes. Statutory Regulation, Collective Bargaining and Adequate Levels*, edited by I. Dingeldey, T. Schulten, and D. Grimshaw. New York: Routledge.
- Dingeldey, Irene, and Ilana Nussbaum Bitran. 2023. "The European Minimum Wage Directive – and why it is a challenge to trade unions but not employers' unity." *Economic and Industrial Democracy* 45(2): 489-510.
- Doellgast, Virginia, Nathan Lillie, and Valeria Pulignano. 2018. *Reconstructing solidarity: Labour unions, precarious work, and the politics of institutional change*. Oxford: Oxford University Press.
- Ellguth, Peter, and Susanne Kohaut. 2022. „Tarifbindung und betriebliche Interessenvertretung: Ergebnisse aus dem IAB-Betriebspanel 2021.“ *WSI-Mitteilungen* 75 (4): 328-336.
- Engler, Marcus. 2016. *Zur Entstehung europäischer Solidarität. Eine soziologische Analyse der Gewerkschaften bei Airbus im Konflikt*. Wiesbaden: Springer.
- Eurostat. 2025. <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20250227-1>
Last checked 31.07.2025
- Heidenreich, Martin. 2022. *Territorial and Social Inequalities in Europe*. Oldenburg: Springer.
- Hirschman, Albert O. 1970. *Exit, Voice and Loyalty: Responses to Decline in Firms, Organisations and States*. Cambridge, MA: Harvard University Press.
- Höpner, Martin, and Maximilian Kiecker. 2025. "Particularistic Solidarity? Explaining the Nordic Opposition Against the European Minimum Wage Directive." *Journal of Political Sociology* 3(1): 42-58.
- Hyman, Richard, and Rebecca Gumbrell-McCormick. 2020. "(How) can international trade union organisations be democratic?" *Transfer: European Review of Labour and Research* 26(3): 253-272.
- Keune, Maarten. 2015. "Trade unions, precarious work and dualisation in Europe." Pp. 378-400 in *Non-Standard Employment in Post-Industrial Labour Markets*, edited by W. Eichhorst and A. Marx. Northampton: Edward Elgar Publishing.
- Knodt, Michele, and Anne Tews. 2014. „Einleitung: Solidarität im europäischen Mehrebenensystem.“ Pp. 7-18 In *Solidarität in der EU*, edited by M. Knodt and A. Tews. Baden-Baden: Nomos.
- Knodt, Michele, Anne Tews, and Nadine Piefer. 2015. „Formen der Solidarität in der Europäischen Union.“ Pp. 106-133 in *Solidarität. Politikwissenschaftliche Zugänge zu einem vielschichtigen Begriff. Sonderband Zeitschrift für Politikwissenschaft 2014*, edited by M. Kneuer and C. Masala. Baden-Baden: Nomos.
- Kozák, Michal, Georg Picot, and Peter Starke. 2024. "Do minimum wages crowd out union density?" *British Journal of Industrial Relations* 62(4): 760-778.
- Lessenich, Stephan, Michael Reder, and Dietmar Süß. 2020. „Zwischen sozialem Zusammenhalt und politischer Praxis: Die vielen Gesichter der Solidarität.“ *WSI-Mitteilungen* 73(5):319-326.

- Leitner, Sebastian. 2023. "The EU minimum wage directive: A chance for decent earnings in EU-CEE." *WIIW Monthly Report* 12: 19-26.
- Lillie, Nathan. 2022. "Round Table. Nordic unions and the European Minimum Wage Directive." *Transfer: European Review of Labour and Research* 28(4): 499-504.
- Lübker, Malte and Thorsten Schulten. 2024. "WSI-Mindestlohnbericht 2024: Reale Zugewinne durch die Umsetzung der Europäischen Mindestlohnrichtlinie." *WSI Report* 93.
- Lübker, Malte and Thorsten Schulten. 2025. "WSI-Mindestlohnbericht 2025: Neuorientierung der Mindestlohnpolitik führt zu realer Aufwertung." *WSI Report* 100.
- Mayer-Ahuja, Nicole. 2024. "Hoch die internationale Solidarität? Grenzüberschreitende Beschäftigung zwischen Fragmentierung und dem Kampf um die Erweiterung des ‚Wir‘." *WSI-Mitteilungen* 77(5): 337-346.
- Mende, Janne. 2021. "Private actors, NGOs and civil society in multilevel governance." Pp. 171-189 in *A Research Agenda for Multilevel Governance*, edited by A. Benz, J. Broschek and M. Lederer. Cheltenham: Edward Elgar Publishing Limited.
- Morgan, Glenn, and Valeria Pulignano. 2020. "Solidarity at work: Concepts, levels and challenges." *Work, Employment and Society* 34(1): 18-34.
- Müller, Thorsten, and Hans-Walter Platzer. 2019. "The European trade union federations: Profiles and power resources – changes and challenges in times of crisis." Pp. 303-329 in *Rough Waters: European Trade Unions in a Time of Crises*, edited by S. Lehndorff, H. Dribbusch and T. Schulten. Brussels: European Trade Union Institute.
- Müller, Torsten, and Thorsten Schulten. 2025. "After Landmark EU Court Judgement: The EU Minimum Wages Directive Is Alive and Kicking". <https://www.socialeurope.eu/after-landmark-eu-court-judgement-the-eu-minimum-wages-directive-is-alive-and-kicking>; Last checked 12.12. 2025.
- Natili, Marcello, and Stefano Ronchi. 2024. "The politics of the European minimum wage: Overcoming ideological, territorial and institutional conflicts in the EU multi-level arena." *JCMS: Journal of Common Market Studies* 62(3): 725-743.
- Ozols, Eriks, Stefano Ivanov Hristov, and Thomas Paster. 2025. "Unions Divided? Trade Union Attitudes towards the European Union's Directive on Adequate Minimum Wages." *Economic and Industrial Democracy* 46(2): 372-396.
- Platzer, Hans-Wolfgang. 1997. "Industrial relations and European integration. Patterns, dynamics and limits of transnationalisation." Pp. 95-132 In the *European Union – European Industrial Relations? Global Challenge, National Development and Transnational Dynamics*, edited by W. Lecher and H-W. Platzer. London: Routledge.
- Scharpf, Fritz W. 1996. "A New Social Contract? Negative and Positive Integration in the Political Economy of European Welfare States". European University Institute. San Domenico (FI). *EUI Working Paper RSC*, No. 96/44.
- Scharpf, Fritz W. 2014. "After the crash: A perspective on multilevel European democracy. Max Planck Institute for the Study of Societies." Cologne. *MPIfG Discussion Paper*, 14/21.
- Schreurs, Sven, and Robin Huguenot-Noël. 2024. "Workers of all member states unite? Europeanising the power resources approach via the Minimum Wage Directive." *Journal of European Public Policy* 28(1): 1439-1466.
- Schulten, Thorsten, and Torsten Müller. 2021. "A paradigm shift towards Social Europe? The proposed Directive on adequate minimum wages in the European Union." *Italian Labour Law e-Journal* 14(1): 1-19.
- Schulten, Thorsten. 2024. *Tarifpolitischer Jahresbericht 2023. Berichte zur Tarifpolitik*. Düsseldorf: WSI.
- Seikel, Daniel. 2023. "European integration, power resources and social classes. A proposal for a political economic extension of the Europeanisation approach." *Journal of European Public Policy* 26(1): 2556-2581.
- Stjernø, Steinar. 2011. "The idea of solidarity in Europe." *European Journal of Social Law* 3 (5): 156–176.
- Taylor, Graham, and Andrew Mathers. 2002. "Social Partner or Social Movement? European Integration and Trade Union Renewal in Europe." *Labour Studies Journal* 27 (1): 93-108.

RESEARCH

- Taylor, Graham, and Andrew Mathers. 2004. "The European Trade Union Confederation at the Crossroads of Change? Traversing the Variable Geometry of European Trade Unionism." *European Journal of Industrial Relations* 10 (3): 267–285.
- Vacas-Soriano, Carlos, and Christine Aumayr-Pintar. 2025. Minimum wages: Trends and early impacts of the EU directive. Eurofound (Industrial relations and social dialogue). <https://www.eurofound.europa.eu/en/resources/article/2025/minimum-wages-trends-and-early-impacts-eu-directive>
Last checked 18.08.2025.