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Meeting with Representatives of the Trade Union Advisory Committee to the OECD

Rewiring Trade and Strengthening Labour Rights for Shared Prosperity

Veronica NILSSON, TUAC General Secretary, nilsson@tuac.org

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1 Rewiring trade for shared prosperity

Trade imbalances as symptoms: Addressing wage suppression and labour rights for sustainable trade

Trade openness in OECD countries increased from roughly 39% in 1995 to 58% in 2024.¹ Yet workers have not shared proportionately in the benefits of this expansion. “Real average labour income per hour worked has failed to keep up with labour productivity growth since the mid-1990s in around a quarter of OECD countries with available data”.² Moreover, in two thirds of OECD countries, the labour share in GDP has fallen between 1995 and 2022 – including in countries with persistent trade surpluses, such as Germany, the Netherlands, Norway and Korea. The widening gap between productivity and wages reflects policy failures that require urgent correction, with the widespread perception that economic growth fails to deliver fair outcomes for working people. This undermines trust in democratic institutions and creates fertile ground for anti-democratic movements.

While trade balances are sometimes viewed as indicators of economic performance, they alone don't reliably signal a country's economic health or weakness. Still, persistent trade imbalances can also reflect policy choices about wage setting, labour market regulation, and collective bargaining rights that suppress domestic demand by allowing wages and purchasing power to lag behind labour productivity growth. Firms increasingly depend on foreign markets – not just to expand, but to compensate for insufficient demand at home. As exports' share of GDP rises, economies become increasingly export-led. This creates a situation where countries that make policy choices which suppress wages can shift unemployment and deflation pressures to trading partners, undermining social cohesion and economic stability across borders.

Countries with persistent deficits, meanwhile, face different challenges. They require higher policy rates to attract foreign capital, which can constrain domestic growth. Many deficit countries

rely on financial market expansion, which increases macroeconomic risk factors without necessarily translating into private productivity-enhancing investment. For example, the United States has maintained persistent trade deficit since the mid-1970s, sustained not by manufacturing strength but by the attractiveness of American assets. While this has maintained the US Dollar's purchasing power, it has simultaneously accelerated a deindustrialisation process that has blighted many American regions and sectors.

Taken together, these dynamics put pressure on workers on both sides of the equation: whether through efforts to remain competitive or to regain competitiveness, OECD countries across the spectrum have implemented measures leading to wage restraint, labour market flexibilisation, and declining collective bargaining coverage. To address these issues, governments must actively strengthen labour market institutions so that wages track productivity and domestic demand rises, ensuring adequate income that lifts household consumption.

Robust collective bargaining, higher minimum wages, and secure employment contracts are essential tools for this rebalancing. This approach would not only boost domestic demand but also readjust the balance of payment in both surplus and deficit economies and deliver inclusive growth across countries. Rewiring trade for shared prosperity therefore requires governments to put workers and wages at the centre of economic policy.

Domestic link: Wage-led demand and industrial policy

Governments must take direct action to close the wage-productivity gap. By increasing wages, domestic demand will grow, automatically increasing imports in countries with persistent trade surpluses. This approach requires recognising the fundamental but often overlooked link between domestic labour market policies, collective bargaining, and trade outcomes. Wage-led growth provides a more sustainable path to balanced trade than continued reliance on export competitiveness. Fair wages correspondent to the productivity level also limit inequality and reinforce social cohesion, leading to inclusive societies.

To achieve this wage-led growth model, governments must strengthen key labour market institutions. Stronger collective bargaining and expanded sectoral agreements with effective extension create the institutional framework needed to ensure productivity gains translate to wage growth. This entails deliberate government action to expand collective bargaining coverage through legislation and regulatory support. Making permanent contracts the norm rather than the exception reduces precarity and boosts consumer confidence. Public sector employment is also relevant to set standards that shape broader labour market dynamics. When governments ensure decent pay and working conditions for public service workers, they reinforce the foundation for decent work throughout the economy.

Governments that prioritise domestic growth on the back of strong wages and labour rights will not only improve living standards but also help alleviate global trade imbalances. Governments

must unwind excessive labour market flexibilisation, increase minimum wages in countries that have established them and strengthen social protection systems. They must support the expansion of collective bargaining coverage to counter excessive monopsony power, while guaranteeing freedom of association, the right to collective bargaining and protection against anti-union retaliation. These protections enable workers to exercise their rights without fear of reprisal, creating the conditions for gains from productivity translate into wages.

Freedom of association and collective bargaining are not optional policies but fundamental labour rights, which are human rights. They are essential components of a functioning economy that delivers shared prosperity.

Setting minimum wages that reflect living costs ensures that all workers can participate in the economy as consumers. Governments that establish adequate minimum wage floors create a foundation for broader wage growth. When workers receive fair compensation, they drive domestic demand that naturally balances trade flows through increased imports. Governments need to tackle informality and discrimination, including by promoting equal pay for work of equal value. Discriminatory practices not only harm affected workers but also reduce overall economic performance by limiting domestic consumption, depressing aggregate demand and weakening transmission from productivity to wages.

While external demand should not be substitute for inadequate domestic demand caused by wage suppression in surplus economies, neither should deficit countries pursue the same kind of export-led strategies that fuel a race to the bottom in labour standards and wages. Industrial policy in both surplus and deficit countries should focus on high-road competitiveness based on innovation, skills development, and quality production rather than wage suppression. Public procurement and investment decisions must include labour rights conditionalities to ensure that export success doesn't come at the expense of workers' living standards.

Fairness first

Trade instruments should complement the domestic task of lifting wages and bargaining coverage. Their role is to uphold standards across borders while governments rebuild wage-led demand at home. Promoting labour rights at home must go hand in hand with promoting them abroad.

Trade policy can be an important vehicle to ensure respect for core labour rights and environmental protections, ensuring a level playing field for fair international trade. Trade agreements should contain binding and enforceable labour clauses that establish robust, state-led and adequately resourced monitoring with worker participation. They should include rapid-response enforcement mechanisms, and links between market access and compliance with labour standards, including the suspension or withdrawal of most-favoured nation provisions where collective bargaining rights are breached, with staged consequences for persistent non-

compliance.

The inclusion of binding labour provisions in trade agreements has already shown promise, with the US-Mexico-Canada Agreement's rapid-response mechanism enabling facility-specific investigations and swifter corrective action. Implementation should be reinforced through integration with instruments such as the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), the UN Guiding Principles on Business and Human Rights, and the EU Corporate Sustainability Due Diligence Directive (CSDDD).

This enforcement approach aligns with international trade rules that recognise the ILO's authoritative role on labour standards. Trade agreements should defer to ILO expertise when determining compliance with fundamental workers' rights and ensure enforcement mechanisms uphold ILO conventions. Fair trade requires a framework where all partners respect core labour rights and ensure effective bargaining conditions. These foundations enable workers to secure their share of productivity gains, building the robust domestic demand essential for balanced, sustainable economic growth.

TUAC recommendations:

- Rebalance the distribution of profits and wages at home and curb income and wealth inequality to lift demand in surplus economies: expand collective bargaining coverage/extension, restore standard employment as the default, link wages to productivity, increase social protection and, where relevant, set minimum wages at levels that reflect the actual cost of living to boost household incomes and reduce poverty.
- Embed binding, enforceable labour clauses in all trade and investment agreements, whether newly negotiated or undergoing revision, with government-led monitoring and trade unions' participation properly funded under said agreements, rapid-response mechanisms, and staged consequences up to suspension/withdrawal for bad-faith non-compliance. Ensure adequate resourcing for labour inspectorates and secure complaint channels (including formal representation for unions and whistleblower protection). Link market access and investor privileges to compliance with labour standards; tighten eligibility for preferences where violations persist.
- Anchor enforceability in international standards: strengthen the ILO's authority on labour rights and ensure its findings are recognised in trade disciplines, with enforcement tied to market access.
- Strengthen social protection mechanisms and guarantee their financial stability.

Questions for discussion

- To governments: How are you ensuring that trade policies and agreements deliver tangible benefits to workers, particularly through provisions that protect labour rights, ensure a fair distribution of gains from trade and strengthen domestic demand?
- To the OECD: When can trade imbalances represent a macroeconomic challenge? What are the global implications and what should countries do in this regard?

2 Restoring The Balance: Freedom of Association and Collective Bargaining As Pillars of the Economy

State of play

The current landscape of freedom of association and collective bargaining rights across the OECD in 2025 reveals a concerning downward trajectory, with only limited exceptions. This erosion reflects and reinforces a fundamental power imbalance between workers and employers that undermines economic resilience and social cohesion. TUAC welcomes positive developments seen in a few OECD countries, where steps are being taken to restore and strengthen freedom of association and collective bargaining after decades of erosion. However, TUAC notes with significant concern that the predominant trend continues toward weakening union institutional roles, imposing new restrictions on strikes, and creating barriers to effective collective action. This deterioration undermines economic resilience and social cohesion.

Against this backdrop of general decline, a handful of countries stand as notable exceptions. The UK's forthcoming Employment Rights Bill aims to deliver wide-ranging reforms to employment and trade union rights, including protections against unfair dismissal, repeal of restrictions on industrial action, new individual rights from day one of employment, measures to tackle insecure work and zero-hours contracts, expanded collective bargaining frameworks, and statutory rights for union access to workplaces. Australia has implemented multi-employer bargaining options through its Secure Jobs, Better Pay (2022) and Closing Loopholes (2023) reforms, embedding workplace delegates' rights across awards and agreements. Korea's National Assembly passed 'Yellow Envelope' amendments in August 2025 to limit employer damages claims for strike-related losses and enable subcontracted-worker unions to bargain with client firms (with effect following promulgation). These developments mark important progress toward more inclusive industrial relations systems aligned with international labour standards.

However, TUAC remains deeply concerned about the continued erosion – in law and in practice – of core labour and trade union rights in parts of the OECD. The pattern is visible in tighter strike

rules, scope carve-outs that narrow bargaining coverage, practical barriers to organising and recognition, and administrative rollbacks and selective non-enforcement that weaken protections in practice. Finland's 2024–25 reforms cap 'political' strikes at 24 hours and increase penalties (including individual fines), narrowing lawful action. New Zealand's current government repealed the Fair Pay Agreements framework in December 2023, dismantling a new private-sector pathway to coverage. Türkiye blocked a lawful strike by decree in July 2025, halting planned action by miners and showing how executive measures can suspend collective action at short notice. In the United States, 2025 executive actions stripped large parts of the federal workforce of their collective bargaining rights through excluding them from labour-management relations programs – alongside a February 2025 directive to remove Project Labor Agreement requirements on large federal construction – demonstrate how administrative levers can directly undermine freedom of association and collective bargaining even where statutes remain unchanged.

Macroeconomic implications

These divergent approaches to freedom of association and collective bargaining have significant macroeconomic implications. Robust freedom of association and collective bargaining (FACB) improve wage-setting quality and are associated with lower wage dispersion³, and, via social dialogue and short-time-work arrangements, help manage shocks while supporting inclusive growth⁴⁵. Where rights are constrained, outcomes tend to be more unequal and volatile; where bargaining is broad and institutions capable, economic adjustments are smoother and social trust higher. This is consistent with OECD evidence that roughly one-third of wage inequality is between firms, strengthening the case for broad, co-ordinated bargaining and well-designed extension⁶.

For policymakers, this evidence suggests a need to view labour institutions not as barriers to flexibility but as mechanisms for balanced adjustment and inclusive prosperity. Economies with well-functioning, coordinated collective bargaining systems display greater resilience during crises and more equitable sharing of productivity gains, as bargaining complements activation and stabilisation policies and supports adaptability. Co-ordinated, sector-level systems are associated with lower wage inequality – including reduced gender pay gaps through establishing more transparent wage-setting mechanisms – and stronger training ecosystems, as well as supporting orderly adjustment in transitions⁷. These findings underscore why strengthening FACB rights must be central to economic recovery and resilience strategies.

Enforcement gap

Despite the clear economic benefits, a significant disconnect exists between formal guarantees and on-the-ground enforcement of labour rights in many OECD countries. Even with rights on paper, implementation barriers systematically undermine their practical exercise, further tilting

the power balance away from workers.

These barriers include inadequate resources for labour inspectorates, resulting in limited monitoring and enforcement; procedural complexities that create friction for workers attempting to exercise their rights; and intimidation tactics that suppress organising through fear of retaliation. For example, Canada's federal ban on replacement workers, which entered into force in June 2025, addresses one aspect of this enforcement gap by removing employers' ability to undermine strike effectiveness, rather than relying solely on after-the-fact inspectorate intervention.

Coverage & extension

Beyond enforcement, the breadth of collective bargaining coverage is critical for stabilising wage dynamics and reducing income dispersion. The minority of OECD countries that achieve high bargaining coverage do so primarily through two channels: sectoral or national bargaining combined with legal extension mechanisms, or high union and employer organisation density that achieves similar coverage through voluntary association. However, many OECD members have coverage below 30%, highlighting the need for policy interventions to expand collective bargaining reach and address the significant power imbalance that low coverage creates in labour markets.

OECD evidence shows that co-ordinated and extended bargaining reduces wage dispersion and supports smoother macro-adjustment. Administrative extension of sectoral agreements prevents free-riding and ensures economy-wide standards, while multi-employer bargaining frameworks enable coordinated standards in fragmented sectors. This is particularly important in sectors where systemic undervaluation is a persistent problem, such as those dominated by women (e.g., care, health and education). Extended sectoral agreements create a foundation of shared minimum standards that prevent destructive competition based on undercutting wages and conditions. This same mechanism provides predictability in labour costs and competitive conditions for businesses, creating more stable operating conditions.

Design choices matter. Design choices in coverage mechanisms produce substantially different outcomes. In Germany, stringent criteria and employers' veto rights have limited extension use⁸, illustrating how overly restrictive conditions can undermine otherwise sound frameworks. By contrast, Spain's 2021 reform intentionally restored sectoral agreement priority on pay and revived ultra-activity, effectively stabilising bargaining institutions and preventing coverage erosion. At EU level, the Adequate Minimum Wages Directive pushes Member States to raise collective-bargaining participation – reinforcing the case for administrative extension mechanisms. The UK Government's Employment Rights Bill (2025) represents another approach to design reform, as it provides for the repeal of Minimum Service Levels and creates a statutory union right of access to workplaces – including digital access – with commencement staged via the Government's 2025 roadmap.

While robust statutory minimum wages can help buttress wage floors where coverage is low, they complement rather than replace comprehensive bargaining frameworks. There are also examples of countries with well-functioning labour markets and low wage inequality **without** statutory minimum wages, where strong collective bargaining fulfils this role. In all systems, coverage rises when entry to bargaining is practical, sector forums are available, and sector standards are extended or generalised, whether through administrative mechanisms or functionally equivalent arrangements agreed by the social partners. These policy design choices have economy-wide implications for wage distribution and economic resilience.

Given the evidence presented on both the economic benefits of strong FACB rights and the serious enforcement challenges they face, TUAC calls upon the OECD and member states to take decisive action to strengthen freedom of association and collective bargaining rights through the following measures:

TUAC recommendations:

- Guarantee FACB compliance in practice through adequately resourced inspections, meaningful penalties, and accessible justice mechanisms.
- Strengthen collective bargaining by expanding coverage through sectoral and multi-employer frameworks, with extension mechanisms that respect trade union autonomy and preserve organising incentives.
- Implement measures to prevent and penalise employer interference with union organising activities, including robust protections for union representatives against retaliation.
- Establish clear pathways for recognising bargaining rights in fragmented and emerging sectors, including for digital platform workers and others in non-standard employment, with mechanisms that incentivise the creation of secure, permanent jobs.

Questions for discussion:

- What concrete steps will members take in 2026 to expand bargaining coverage and enforce freedom of association and collective bargaining rights?
- How will the OECD monitor and ensure labour-rights conditionalities attached to public support mechanisms are effectively implemented?

3 Rules matter: Resisting the deregulation agenda

Myth-busting

Political discourse around the need to "remove regulatory burdens", "simplify rules" and "slash bureaucracy" has spread across OECD countries⁹. Recent examples include attempts to suspend or substantially narrow the ambition of landmark instruments such as the EU Corporate Sustainability Due Diligence Directive and Corporate Sustainability Reporting Directive, as well as widespread deregulation enacted by the Trump administration across policy areas from anti-corruption to labour market regulation.

The US Labor Department has pushed especially troubling measures: removing the federal minimum wage for home care workers and their right to overtime pay; scrapping obligations for seat belts on agricultural vehicles; reversing protections for migrant farmworkers against retaliation; eliminating requirements for adequate lighting at construction sites; weakening mine safety requirements for ventilation and roof collapse prevention; and curtailing the ability to punish employers for unsafe working conditions.

At the OECD level, the Regulatory Policy Committee's "Simplification for Success" initiative marks a clear shift from "better regulation" towards outright "deregulation", reinforced by other directorate initiatives such as the "Foundation of Growth" and "Revitalising Government Reform". TUAC is concerned that this shift creates a false dichotomy between regulation and growth, ignoring how quality rules create stable foundations for sustainable development.

The 'simplification' rhetoric presents significant risks of eroding essential social, environmental, democracy and human rights protections. Current approaches imply that legislation inherently obstructs growth, competitiveness and employment – an ideological assumption lacking empirical support. Moreover, proponents of deregulation misframe economic growth as an end in itself rather than a means to create shared prosperity and societal wellbeing. By degrading labour conditions, these approaches undermine the very prosperity they claim to promote.

The introduction of 'one in, one out' policies in many OECD countries and the EU reveals a fundamentally biased approach to regulatory policy. Such policies are far from policy-neutral, and do not improve legislative quality: they privilege short-term, monetisable "offsets" while ignoring long-run, hard-to-price benefits. The OECD itself has identified serious methodological and implementation problems with offsetting rules, noting that they risk undermining regulations that deliver substantial social and environmental value simply because their benefits resist simple monetisation¹⁰.

Regulation is infrastructure. Well-designed regulatory policy serves both the general interest – workers, citizens, consumers and the environment – and provides the predictability and stability that employers and investors seek. Above all, rules are investments in shared prosperity, not mere "burdens".

Quality regulation

A fully developed regulatory impact assessment must consider all societal impacts, not just costs. The 2012 OECD Recommendation on Regulatory Policy and Governance clearly requires Regulatory Impact Assessments (RIAs) to weigh benefits as well as costs – comprehensively addressing economic, social and environmental impacts, distributional effects, and quantifying benefits¹¹. Per the 2012 OECD Recommendation, RIAs should be integrated from the earliest policy stages and use quantitative assessment wherever feasible, alongside qualitative analysis. Some compliance costs are intentional and legitimate (e.g., OSH) because they generate large public benefits.

Regulatory assessments often focus narrowly on business costs while undervaluing broader societal benefits¹². In the case of the EU, while the Commission committed to ensuring that reporting requirement reductions would not compromise policy goals or high standards, investigative journalism revealed that its 25% reduction target was set without any evidence base. Internal Commission documents show that AI identified 11,000 reporting obligations across the EU's 23,000 pieces of legislation, yet the Commission only identified 190 requirements as unnecessary¹³.

Past deregulation efforts demonstrate the dangers of this approach. When the EU scrapped mandatory safety checks on high-risk machinery in 2006, more workers suffered injuries, leading co-legislators to reintroduce this obligation under the EU Machinery Directive in 2022. Such examples highlight that regulatory decisions should be based on comprehensive assessment rather than ideological commitments to reducing regulation.

Regulatory capacity

The effectiveness of regulations depends critically on implementation capacity and political will to enforce standards. Without adequate monitoring and enforcement mechanisms, even the

strongest protections on paper become meaningless in practice. The implementation gap undermines regulatory governance across policy areas, from environmental protection to workplace safety.

Regulatory governance is further undermined by problematic processes that bypass democratic oversight. Measures such as executive orders or "omnibus" laws, which group deregulatory measures covering wide-ranging areas under one single legislative vehicle, do not allow for adequate democratic debate and scrutiny. This approach, seen recently in countries like Indonesia and Argentina, prevents appropriate discussion and cost-benefit analysis in each affected policy area.

In Indonesia, the Job Creation "Omnibus" Law weakened worker protections by expanding outsourcing and liberalising fixed-term contracts, prompting legal challenges from unions and civil society. In October 2024, the Constitutional Court ordered revisions to several labour provisions – including introducing sectoral minimum wages, requiring the ministry to define which jobs may be outsourced, and restoring protection against immediate layoffs while a dispute is before the industrial court. Taken together, the episode shows how "simplification" can centralise state power in ways that erode bargaining power and due process, rather than merely "cutting bureaucracy". TUAC fundamentally opposes such deregulatory efforts, regardless of the terminology used to promote them.

Evidence & evaluation

Effective regulatory policy requires robust evaluation frameworks that consider both costs and benefits across all stakeholders. Current approaches to regulatory impact assessment often focus narrowly on business compliance costs without adequately measuring regulations' benefits or analysing distributional impacts, creating a structural bias toward deregulation.

A more balanced approach would incorporate distributional and explicit evaluation of employment impacts in regulatory impact assessments to provide a clearer picture of how regulatory outcomes are distributed across stakeholders. This means examining not just aggregate impacts but also how benefits and costs affect different groups, particularly vulnerable workers and communities.

OECD cross-country evidence shows ex-post evaluation remains the weakest link in regulatory governance, while ex-ante RIA systems have largely plateaued after earlier gains¹⁴. TUAC calls on governments to implement mandatory periodic reviews of high-impact rules with a focus on real-world outcomes, publicly release both these reviews and their formal responses, and include worker representatives in review governance to ensure findings reflect those most affected. Governments should avoid "regulate-and-forget" practices and commit to systematic, outcome-focused ex-post evaluation that checks for unintended effects and demonstrably feeds back into rule improvements.

Evidence-based regulation also requires acknowledging that some regulatory benefits resist precise quantification. The inability to assign a precise monetary value to preventing discrimination, protecting fundamental rights, or averting environmental damage should not diminish their importance in regulatory decision-making.

When regulations are removed or weakened, the same evidentiary standards should apply as when they are created. Too often, deregulatory initiatives proceed based on anecdotal claims about "red tape" rather than systematic analysis of outcomes. A truly evidence-based approach would require rigorous assessment of the potential impacts of deregulation, with particular attention to risks for workers, consumers, and the environment. Ex-post evaluation of the effects of abolishing rules is as necessary as ex-post evaluation of the introduction of new rules.

TUAC recommendations:

- Adopt distributional impact analysis and assessments of effects on job quality (wages, security, conditions) as part of RIAs to ensure that effects on workers, inequality and vulnerable communities are properly evaluated alongside business compliance costs.
- Protect core labour, safety, and climate standards from blanket sunset rules and arbitrary deregulation targets that could undermine fundamental protections necessary for sustainable economic development.
- Fund labour inspectorates adequately to enforce existing law and ensure regulations achieve their intended effects through proper implementation and oversight.
- Include worker representation in ex-ante/ex-post review processes to ensure regulatory evaluations reflect all stakeholders' interests and correct the current imbalance toward business perspectives.

Questions for discussion

- What kind of safeguards should be adopted to ensure review/sunset clauses don't erode core protections for workers, communities and the environment?
- How can workers' perspectives be integrated systematically in regulatory impact assessment?
- How can simplification and deregulation packages integrate job-quality and distributional impacts to prevent widening inequality?

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