

HUMAN RESOURCE MANAGEMENT IN EUROPEAN CONSTRUCTION COMPANIES

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There has been widespread interest in corporate integration within Europe in recent years. The reconfiguration of business activity poses questions about the relationship between corporate or international headquarters and levels of discretion in HR practices at local level. These issues are explored in the European construction industry, with a focus on larger enterprises.

Data are derived from desk research and from European surveys on HR practice coordinated by Cranfield School of Management. Comparison is made of HR practices within larger European construction companies between 1992 and 1995.

Decisions at national HQ and subsidiary level continue to be important for all key aspects of HR policy in construction – pay determination, recruitment, training, industrial relations, health and safety and workforce adjustment. There is little evidence that HR decisions are shifting to a European level. International HQ decision-making is more significant with respect to pay policy than on other issues, although even in this area it remains limited. Rather the trend is to decentralization. Sub-contracting is attractive to corporate and site management and has tended to grow in incidence and importance, although practices vary geographically. There is a tension between central corporate control and local flexibility. Central controls may be strongest in relation to financial management, with subsidiary level managers seeking flexibility while working within budgetary constraints.

Keywords: human resource management, multinational enterprises, corporate restructuring.

INTRODUCTION

There has been widespread interest in corporate re-structuring and integration within Europe in recent years. The interest has partly sprung from discussions concerning the duality between ‘globalization’ and ‘regionalization’ (Hyman 1999). It also derives from an interest in questions of divergence and convergence in industrial relations systems (Marginson *et al.* 1993, Marginson and Sisson 1994). Mergers and acquisitions, which accelerated from the late 1980s, were expected to lead to the creation of what has been termed the ‘Euro-company’ (Marginson *et al.* 1993). Economic and monetary union and the single European currency may encourage employers to compare and to emulate developments in management of human resource issues across frontiers (Walsh *et al.* 1995). This poses questions about the relationship between corporate or international headquarters and levels of discretion within national or divisional units within such organizations.

The construction industry is singularly positioned with respect to mobility of capital and labour, because of its variable location. Mobility is an inherent requirement of the project. The structure of the industry, with few large contractors and many small and

medium-sized firms, gives it particular significance. The purpose of this article is to determine the ways in which human resource management decisions are taken within medium-sized to large construction companies in Europe (those with more than 200 employees). It explores management practices on a range of issues within the enterprise, seeking evidence of change in the level of decision-making on employment policy.

First, the research method is explained. Second, we consider the significance of enterprise decision-making for human resource management. Third, we discuss the construction industry in Europe and point to the distinctive position of the largest companies and describe, briefly, the collective bargaining traditions in the industry. Fourth, we report on the data pointing to distinctive changes in human resource management within the European construction sector.

RESEARCH METHOD

Data derives from desk research and from European surveys co-ordinated by Cranfield School of Management (referred to as the Cranet-E surveys). Comparison is made on a longitudinal basis, for the most part between 1992 and 1995. These international surveys are sent out to HR professionals in firms with more than 200 employees. In 1995 the survey was distributed across 14 European countries. European in this connection refers to the continent rather than to the European Union. The distribution of respondents is, inevitably, uneven and in 1995 there were responses from more than 200 respondents within the construction sector across nine of the countries surveyed. The survey is one of the largest of its type providing data across the industry in Europe.

HUMAN RESOURCE MANAGEMENT IN MULTINATIONALS

Within the framework of debates about corporate decision-making, it is important to recognize that the legal and fiscal existence of enterprises - including multinational enterprises - continues to be framed at national level. Despite debates about globalization, many MNEs operate close to their home market (Ferner and Quintanilla 1998). The capacity to locate or to re-locate production across frontiers appears to threaten employment and social regulation and to challenge the power of national governments (Hyman 1999).

Many firms are likely to operate with a divisional structure which devolves management responsibility to strategic business units (Ferner 1994, Purcell and Ahlstrand 1994). Product divisions in MNEs may cross national boundaries. Ferner (1994: 82) points to the likely importance of central financial controls and corporate interest in product and market development and suggests that by contrast with these issues, personnel policy is more likely to be decentralized.

Despite wide differences in the historical legacies and legal frameworks of EU member states (Ferner and Hyman 1998, Florkowski and Nath 1993) there are-at least on the mainland of Europe-certain features which are common to industrial relations traditions and current trends. Firstly, multi-employer collective bargaining remains an important mechanism for determining wages and conditions of employment (Clarke and Bamber 1994). Secondly, there is a marked trend across Europe both to decentralization of negotiations or decisions and to the diminution of trade union membership (Katz 1993, Thörnquist 1999). Thirdly, the distinctive positioning of the multinational enterprise poses a particular challenge to employer solidarity. The MNE challenges the coherence of national systems of multi-employer bargaining because it

can pursue the same objectives in different locations. It can develop pan-European structures for the enterprise to manage industrial relations (Marginson and Sisson 1994: 23). Ferner and Quintanilla (1998) point to the importance of debates concerned with isomorphism – that is the extent to which organizations adopt the structures and processes of other organizations in a similar business environment. They suggest that such discussion must be understood in the context of national business systems and arrangements concerned with education, vocational training, employment and labour market institutions.

Increasing importance of multinational enterprises has encouraged expectations both of European trade union bargaining claims and of European level decisions within firms (Walsh *et al.* 1995). An estimated 860 enterprises in Europe are expected to fall within the ambit of the European Works Council Directive (Cressey 1998). However, the effects may be limited in the construction sector which claimed only 13 of the 386 agreements concluded by 1996—just 3% of the total (Marginson *et al.* 1998).

The sector of operation is an important determinant of organizational style. Building and civil engineering both constitute high-risk businesses requiring rapid adaptation to emerging market opportunities and effective systems of financial and project management. It is to this sectoral perspective which we now turn, looking at the construction industry in Europe.

THE CONSTRUCTION INDUSTRY IN EUROPE

By 1996 the EU had about 45 large contractors with headquarters within its borders with an annual turnover in excess of 1000 million ECU (at 1992 prices). Large firms have increased their importance in the construction industry and compete for projects which are European or global in scale (Ive 1994). Many of the EU's largest contractors are parts of groups of companies that work in several industries, of which construction is just one (for example Lyonnaise des Eaux and Bouygues). They are also likely to be operating in construction-related sectors such as manufacturing materials and components, providing services (transport, water, waste treatment) and property related businesses (Ive 1994, Eurostat 1996). British companies are less active within the mainland of Europe than in other parts of the globe (European International Contractors 1996: 51).

Construction demand is primarily determined within the framework of national and often regional or local boundaries. Local knowledge, networks and contacts remain of particular importance in accessing contracts. The major contractors compete at a number of levels but small and medium sized enterprises, often with a regional or local identity, predominate in number. Even the public sector, formally opened to competition, is differentiated as a major client in accordance with national, regional and sometimes local markets (Koch 1991: 272).

The conditions of the industry and the predominance of small firms define the arrangements for collective regulation. Multi-employer bargaining is sustained in the construction industry in all of the countries of the European Union although the scope and the impact vary significantly (Schnepf *et al.* 1997). At establishment and site level, unionization is sometimes weak (Tallard 1991).

Sub-contracting is a long-established aspect of the construction process since employers choose between internal labour markets and the externalization of construction tasks. The term encompasses several forms of 'outsourcing', and is used in a broad sense here to include any way of contractual devolution of tasks, since its precise

Table 1: Where policy decisions are determined: number of companies (1995:1992 in brackets)

Area of policy decision-taking	International HQ	National HQ	Subsidiary/ Establishment	Total
Pay policy	12 (7)	69 (77)	41 (46)	122 (130)
Recruitment	9 (3)	46 (42)	67 (86)	122 (131)
Training	9 (8)	55 (54)	58 (68)	122 (130)
IR	5 (4)	50 (59)	67 (69)	122 (132)
Health and safety	5 (7)	57 (57)	61 (66)	123 (130)
Workforce size	7 (5)	46 (49)	67 (78)	122 (132)

Source: *Cranet-E Survey 1995 (and 1992)*

meaning may vary in different contexts. Trade unions within construction have, historically, been concerned to prevent or to control abuses in the working arrangements of sub-contractors (Dunlop 1993). The nature and extent of sub-contracting is of particular interest in terms of human resource management. (Artus *et al.* 1998).

Data

In the section that follows we report on survey findings in relation to levels of decision-making on personnel issues in European construction and civil engineering companies. The data shows a high degree of continuity in terms of national-level decision-making in companies during the 1990s. There was also a tendency for decisions in certain areas of policy to be moved either upwards-to international-or downwards-to enterprise-level, and this is associated with particular trends in modes of working. The incidence of different forms of flexible working in different European countries and their consequences for union organization is examined.

There are inherent tensions in the decision-making process between international and national headquarters on the one hand and managers operating within subsidiaries or establishments on the other. The Cranet-E survey addresses questions to senior HR managers in companies, although responses may in a few cases have been in practice delegated to lower-level managers. Respondents were asked where issues were ultimately determined within the company. Their responses provide a clear and consistent picture. The results are shown in Table 1.

The data shows a considerable degree of continuity in the level at which decisions are taken in European construction firms during the first half of the 1990s. Pay policy is most likely to be determined at national level. This is to be anticipated because of the prevalence of multi-employer national level agreements in the industry. Yet enterprise level decision-making is in reality often coupled with an element of establishment level autonomy on particular issues. Table 1 shows a high proportion of construction companies devolving the three closely-linked issues of industrial relations, recruitment and workforce adjustment to subsidiary or establishment level when compared to other issues. This reinforces the possibility that higher level decision-making will be concerned with strategy, financial control (hence pay policy) and decisions of principle, downstream decision-making is likely to deal with operational issues and aspects of industrial relations. Conversely, table 1 shows that there was some tendency for international HQs to take more power to themselves across the range of issues, with the sole exception of health and safety policy.

We now turn to the establishment level to examine the ways in which European construction companies changed modes of employment and how these potentially affect unionization and collective bargaining. The data in this case refers to the period 1992-1995. The construction sector shows specific features in relation to changing working practices. In European industry as a whole, increased part-time employment,

Table 2: Companies reporting changes in sub-contracting 1989-1995 (1989 figures in brackets).

Country	Increase	Same	Decrease	Not Used	Total
Denmark	6 (1)	20 (8)	1 (0)	6 (4)	33 (13)
France	3 (6)	5 (6)	1 (1)	1 (1)	10 (14)
Germany (W)	15 (19)	5 (7)	0 (1)	14 (1)	34 (28)
Germany (E)	4 (21)	2 (1)	0 (1)	4 (8)	10 (31)
Ireland	8 (1)	7 (2)	2 (0)	2 (0)	19 (3)
Netherlands	6 (1)	6 (4)	0 (0)	0 (1)	12 (6)
Sweden	4 (1)	12 (4)	2 (1)	0 (5)	18 (11)
Spain	3 (2)	3 (3)	0 (0)	0 (0)	6 (5)
UK	28 (27)	15 (13)	1 (4)	2 (4)	46 (48)

Source Cranet-E Data, 1995 (and 1989)

shift working, the use of temporary and fixed-term contracts and sub-contracting were all evident. In construction, the picture is rather different. Part-time working was little used. The key areas of change identified by respondents were, in descending order of importance:

- An increase in fixed-term working and the use of temporary or casual labour
- An increase in sub-contracting
- Increased use of overtime

We examine these areas and their incidence in different national contexts in turn and look at their relationship with unionization and collective bargaining more generally. The trend to increased fixed-term working was most marked in Western Germany, the Netherlands, Sweden, Spain and the UK. The incidence of temporary contracts and casual work was only slightly different. Sweden, UK, the Netherlands and Spain were the countries in which the use of temporary labour increased most markedly. In Germany, where use of fixed-term contracts had increased by 55%, temporary and casual labour had less impact. Such contracts are likely to pose significant problems generally for trade unions in countries where unions do not play a role in administering social security benefits. The difficulties are magnified in the case of temporary and casual workers. Migrant workers are particularly likely to be engaged on contracts of this sort, and to experience social and cultural isolation against a background of little experience of regulated working conditions (IG Bau 1993, Kobele and Cremers 1994). At site level, a consequence may be a move to dual or multiple standards with the regulated workforce on the one hand, and the casual, sometimes migrant labour on the other. Such developments are illustrated in the German context by Artus *et al.* (1998).

Many of these considerations are relevant to a discussion of sub-contracting. The increase in sub-contracting was the most generalized change across the nine countries covered by the Cranet-E survey across the period 1989-1995. Table 2 shows changes in sub-contracting between 1989 and 1995.

Sub-contracting can have very different meanings depending on the context within which it is used. The development of sub-contracting may simply reflect a change in commercial contractual relations with a turnkey contractor taking greater responsibility for the management of the construction process, that is then undertaken by specialist sub-contractors. However in the Anglo-Saxon context these contractual relations are replicated in processes of sub-sub-contracting through a contractual chain. In this way sub-contracting provides the opportunity for firms to reduce employment overheads, off-load financial risks and greatly reduce local management involvement in many areas of both the labour process and personnel matters. Two countries stand out in the data presented above—Germany and the UK.

In Germany the data shows the importance of sub-contracting during the early 1990s. The booming German construction industry in the years following reunification coupled with the privatization of industry in East Germany to create hot-house conditions in which demand for labour was particularly intense. German workers, unlike their British counterparts, were accustomed to regulated employment on sites. The situation following reunification offered significant opportunities for those who were prepared to work outside of the framework of collective regulation, particularly migrant workers. Sub-contractors from central and Eastern Europe and from the Netherlands 'posted' Eastern European, British and Irish workers—who often claimed self-employed work status—to sites in Germany. Working conditions were poor and abuses were rife (Druker and Dupré 1996). Yet the use of sub-contracting did not imply a complete abandonment of collectively regulated conditions of employment, which were often maintained for German workers. The engagement of non-regulated labour - for example self-employed workers from Britain - co-existed with regulated working conditions on some sites. The situation called into question the credibility of collective bargaining in the German building industry since so many workers were operating outside of the terms of the collective agreements. It led to the creation of a statutory minimum wage rate with universal application. This was accompanied by European level regulation on the Posting of Workers (Sörries 1997, Druker and Dupré 1998).

In the UK context the growth of sub-contracting in the 1980s and early 1990s was associated with a rapid rise in the level of self-employment, a process which was supported by UK government policies favouring entrepreneurship and by a permissive fiscal regime (Evans 1991). The term 'self-employment' was ambiguous in the UK at this time (although regulations have subsequently been tightened) and many self-employed workers were, in reality, quasi-employees rather than genuine small entrepreneurs as in other European countries. (Rainbird 1991, Winch 1998).

Our data suggests that despite differences in tradition and culture, sub-contracting had certain common attractions for corporate and site management, although the practices varied according to national – and probably regional – situations. Almost 40% of respondent firms-81 out of 203-reported that their use of sub-contracting had increased between 1992 and 1995. The increase was most marked in the UK, which had a low union density, and least marked in those countries with the highest union density—that is, Sweden, Denmark and Belgium. Sub-contracting and self employment both pose severe problems for trade unions, by placing strict limits on the extent and effectiveness of collective representation. The use of a labour market intermediary in the form of a sub-contractor tends to distance the worker from the contractor and to substitute a commercial contract, or contract for services, for the contract of employment. Unions have little purchase here. Union membership among sub-contractors in Britain (where the practice is widespread) is extremely low.

Of the different areas of personnel decision-making, increased use of sub-contracting was closely associated with international decision-making in recruitment policy and with both establishment and international levels of decision-making in the industrial relations and workforce adjustment areas and with establishment decision-making in pay policy. In both cases, managers with policy responsibilities seem to prefer to 'exit' from the difficulties associated with direct employment by this means. The implications for the erosion of national-level regulation of terms and conditions of employment both through reduced union influence and by removal of direct managerial responsibility for the employment relationship are strong and clear.

Simple increases in working time were the third most significant change in the 1992-5 period. Increased working time is a straightforward and well-established means of responding to peaks in activity within the constraints of statutory limitations on working hours. Collective agreements normally specify the terms on which overtime shall be worked, often with provision of premium rates. The alternative to overtime is annualized working hours and by 1995, 23.4% of employers (151 respondents out of 197 answered the question) had adopted this system. Of the 214 respondents answering the question on overtime, over 25% (54 organizations) reported an increase in its use. Predictably, it was in Germany (in both new and old Bundesländer) that workload stimulated greatest use of overtime. Of the 54 organizations reporting an increase in overtime, 25 were based in Germany

These changes collectively represent a powerful matrix of inter-related factors tending to pressurize trade union membership and national collective bargaining systems at the workplace level, despite employers' continuing commitment to formal arrangements at national level (see for example Schnepf *et al.* 1997). The commitment to multi-employer collective bargaining with familiar rules, procedures and established institutional relationships (referred to as 'the inelasticity of familiarity' (Crouch 1995)) is not matched by the commitment to full implementation of collectively negotiated terms and conditions at site level. The juxtaposition of formal national regulation with local deregulation through a range of devices and particularly sub-contracting, was clearly an acceptable and even attractive one to some employers. The decline of trade union membership is a further widespread phenomenon that is both cause and effect of the extension of sub-contracting.

Employers were asked in 1992 and 1995, in the Cranet-E survey, what proportion of their workforce was in a trade union. The 1992 proportions may therefore be compared to the corresponding response three years later. The results demonstrate a significant and generalized decline in union density. The lowest absolute levels of union organization are found in France, where 91.7% of organizations estimate union density to be below 25%; in Ireland where three in every four firms say that they have no union members; and in the UK, where over two thirds of organizations have a level of union organization below 25%. France may in some ways be seen as a special case since in general terms union membership nationally is made up largely of activists (Goetschy and Jobert 1993:165). Yet non-unionism expanded considerably in French construction in these three years. Germany presents an interesting case, in that the proportion of managers reporting that they were unaware of the level of unionization showed a sharp increase over the three years 1992-5. This has to be taken as evidence of a sharp decrease in the construction union's profile with management, taking account of the fact that in East Germany, formerly Communist unions transferred membership to West German institutions after reunification. Union membership fell dramatically in the UK construction sector in the 1980s, and the decline continued between 1992 and 1995.

To summarize, the research points to changes at workplace level that put pressure on multi-employer collective agreements. The forms of flexibility examined vary in their incidence between countries, between employers and in the extent of their influence on levels of unionization. The case study research undertaken by Artus and colleagues (1998) highlights the way in which national-level collectively bargained conditions may be accompanied by de-regulated employment practices at enterprise level. This is particularly likely with sub-contracting, the most widespread form, which devolves decisions on all aspects of pay and conditions to the sub-contractor.

DISCUSSION AND ANALYSIS

The data points to the continuing importance of decisions at national HQ and subsidiary level for all key aspects of HR policy in construction - pay determination, recruitment, training, industrial relations, health and safety, and workforce adjustment. Despite the establishment of EWCs in the major multinationals and expectations of Europeanization the research offers little support for the view that multinationals are shifting HR decisions to a European level. Rather, in line with Ferner's analysis (1994) it suggests that decision-making on certain issues has become more decentralized. International HQ decision-making remains limited, although it has become more significant with respect to financial issues – for example on pay policy.

The data confirms the growth in the incidence and importance of sub-contracting in the construction industry across the EU. The growth in sub-contracting cannot be attributed simply to the influence of British multinationals, since their role in mainland Europe is currently relatively limited. Bobroff points out how, in the French context, fluctuations in demand led to increased competition, with implications for time, price and project organization (Bobroff 1991). Artus and colleagues illustrate the same point in the East German context. In line with the work of Ferner and Quintanilla (1998), these changes in work organization can be understood as a consequence of tighter systems of cost control and performance management which are becoming more generalized in the competitive contractual environment in Europe.

Sub-contracting tends, unless it is regulated, to weaken the institutions and the credibility of collective bargaining in this context. Part of the problem derives from the fragmentation of employment structures.. It may seem that it is mobility of labour, rather than mobility of capital, which generates 'social dumping' in construction. Yet many of the mobile workers of the 1990s were recruited through labour market intermediaries - labour-only sub-contractors and gang masters - acting in the interests of large enterprises which have chosen to reduce the scale of their direct employment. Ultimately it is the employer who decides on work organization and the form of labour engagement.

The data suggests a virtuous circle between high trade union organization and lower levels of sub-contracting. What is interesting and distinctive about the construction industry is its inherent fluidity – the capacity of employers to pursue dual strategies based both on regulation and on deregulated terms and conditions of employment. In the UK for example, multi-employer collective bargaining has survived in construction, almost uniquely in the industrial relations system, despite the widespread use of self-employed labour. The construction industry in the USA saw non-union operations grow over the period 1975 to 1984 from 50 per cent to 75 per cent of all construction work. US contractors balanced their use of union labour with the use of "open shops" – an initiative colloquially referred to as "double-breasting" (Katz and Kochan 1992: 148).

This survey permits some understanding of these broad trends across the construction sector in Europe. More attention is needed through qualitative research, such as that undertaken by Artus and colleagues (1998), to the dynamic of change, and to the pressures on managers at project level. Methods by which trade unions have been able to contain or control the effects of sub-contracting under different circumstances also require further study. Particular attention is needed to the ways in which these commercial relations define and impact on the engagement of labour, on employment security and skills creation.

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