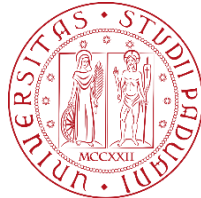


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**LABOUR MARKET REFORMS AND SECTOR-LEVEL
SPECIFICITIES**

COMPARING NATIONAL VARIETIES OF LIBERALISATION
PATTERNS AND INDUSTRIAL RELATIONS TRENDS IN THE SPANISH
AND ITALIAN SEASONAL TOURISM WORKERS' LABOUR MARKETS

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Abstract

This work, following the reductionist critique of flexicurity, will support the hypothesis of existing sectoral patterns of flexicurity, with a specific focus on seasonal tourism workers. Structural features of the labour market of this sector, like the seasonality of demand and the presence of temporary workers, raise the question of whether flexicurity has introduced even more liberalisation, or, on the contrary, if the sector already presented characteristics that possibly hindered a further deregulation of the workforce. Using Thelen's "varieties of liberalisation" approach and drawing from industrial relations theory, this work will explore which kind of liberalisation trajectory is observable in the Spanish and Italian seasonal tourism workers' labour market. Through semi-structured interviews with experts, employer representatives and trade union officials, the present study will show that in the years of the Great Recession the sector experienced a decrease in coverage and coordination. In addition, sectoral patterns will be put in comparison with broader national trends of reform of the labour market occurring in Italy and Spain to explore the extent to which structural characteristics shape flexicurity outcomes. The findings of this work will be coherent with the literature that underlined the need to overcome national boundaries in flexicurity studies. Therefore, institutions, albeit important, are not the only factors that shape the outcomes of flexibility and security on a sector level. In fact, important similarities between the outcomes of labour market reforms can be observed when adopting a single sector cross-country perspective.

1. Introduction

The reform of labour market policies and institutions has attracted significant attention in the past decades, in particular after the Great Recession, with its massive repercussions on employment and unemployment (Theodoropoulou, 2018). Flexicurity has become the ‘buzzword’ of labour market policies as it aims to provide a win-win solution to both workers and employers. According to its traditional definition, flexicurity is “a policy strategy that attempts, synchronically and in a deliberate way, to enhance the flexibility of labour markets, work organisation and labour relations on the one hand, and to enhance security – employment security and social security – notably for weaker groups in and outside the labour market, on the other hand” (Wilthagen & Tros, 2004, p. 169). To avoid placing the burden of flexibility entirely on the shoulders of employees, the proposal is to provide employment security through increased employability – rather than protection from dismissal – and income security through unemployment benefits (Viebrock & Clasen, 2009).

Following the reductionist critique of flexicurity (Burrioni & Keune, 2011), this study considers the sectoral variability of flexicurity arrangements. If the variability of flexicurity arrangements across national contexts is well testified, research at the sectoral level is underdeveloped. While works that explore the impact of structural elements in shaping the outcome of institutional arrangements at the sector level do exist, they mostly consider the market contexts and the configuration of subsidiaries of multi-national companies (Pulignano, Doerflinger, et al., 2016). Therefore, assuming that companies and workers in the same industry experience similar technologies and market environments and demands for flexibility and security, sector-level institutions need to be taken as the analytical starting point (Marginson & Sisson, 2006; Paolucci, 2017). However, the evidence regarding the effects of sector-specific structural factors on employment relationships is weak or absent.

Theoretically, I will draw from the industrial relation theory to demonstrate how and to what extent sector-specific features shape flexicurity outcomes. Industrial relations theory has always been aware that one particularly important source of diversity is sectors, given that each sector is shaped by specific product and labour markets, resulting in different workforces, different work practices and different economic contexts (Bechter et

al., 2012). The study of industrial relations and more specifically collective bargaining processes become pivotal if we want to understand how flexicurity is developed (Ibsen & Mailand, 2011). In particular, the present work will adopt Thelen's (2014) "varieties of liberalisation" approach, which provides an interesting framework to map flexibilisation patterns across countries. Differently from previous literature, I aim to test the validity of this framework to map also changes occurring on a sector level.

Against this background, this work focuses on a specific sector, namely the tourism industry. The choice derives from two considerations. First, literature has given significant attention to the sectoral dimension of precarious work and the response of labour market institutions to precariousness (Häusermann et al., 2014; Keune & Pedaci, 2020). The tourism sector is in fact characterised by the precarious nature of its employment (Robinson et al., 2019). Second, the sector presents a series of structural conditions that might potentially mitigate the effect of flexicurity. These structural elements include weak unionisation, the presence of a seasonal trend of demand, the diffusion of temporary contracts, and high levels of numerical flexibility (Ioannides et al., 2021). The effect of structural factors on the outcomes of labour market policies and institutions reforms is currently deeply overlooked by the literature – hence the choice to focus on this dimension. Ultimately, the main focus of this work is mapping the liberalisation trajectory observable in the seasonal tourism workers' labour market.

In doing this, the current work takes a comparative outlook by considering Italy and Spain as case studies. In fact, while there is clear evidence that agreements on flexibility and security vary across sectors within one institutional setting (Ibsen & Mailand, 2011; Schils & Houwing, 2010), this study also aims at contributing to the developing literature on international sector comparisons (Ilsøe, 2010; Papadopoulos & Lyddon, 2020; Kinsella et al., 2021; Lloyd & Payne, 2021), thus shedding light on the role of national institutions, employers approaches and unions in shaping outcomes of industrial relations and employment regulation. The country selection criteria also derive from previous analyses of the literature (Meardi, 2012), given the similarities in terms of welfare regime of the countries (Esping-Andersen, 1990; Ferrera, 1996; Guillén & Pavolini, 2017), similar international pressure during the year of the Great Recession (Hopkin, 2015; Pavolini et al., 2015), but also the partially diverging patterns of liberalisation (Picot & Tassinari, 2017). The findings of this work will be coherent with the literature that underlined the need to

overcome national boundaries in flexicurity studies. Therefore, institutions, albeit important, are not the only factors that shape the outcomes of flexibility and security on a sector level. In fact, important similarities between the outcomes of labour market reforms can be observed when adopting a single sector cross-country perspective.

The work will be structured as follows. After this introduction, a second chapter will analyse the link between flexicurity and the importance of sector-level institutions to determine the forms and levels of flexibility and security existing within sectors. In this way, I will also underline why we need to grasp the flexicurity outcomes in the seasonal tourism workers' labour market. The chapter will also set the theoretical framework to understand the variabilities of flexibility and security trade-offs. After having set the research questions and hypotheses of the study, the third chapter will describe the research design and methodology deployed. In a fourth chapter, I will give a short outline of the trajectories of liberalisation followed by the two case studies. Then, the fifth chapter will consider the same case studies and describe the changes occurring at the sector level. The sixth chapter will highlight the main findings and link them to the research questions and hypotheses. Lastly, the seventh chapter will conclude the work, underlining its limitations and indicating the possible directions for future studies.

2. Literature review

One of the main ontological criticisms to flexicurity is the reductionist view, which limits sources of flexibility and security to the national level (Burroni & Keune, 2011), implying that the existence of cleavages among economic sectors, occupational groups, or regions is normally neglected in flexicurity studies. Moreover, the exclusive focus on national labour market and welfare regulations can overlook other types of arrangements like collective agreements, company policies, or informal practices. Instead, it has been observed that the level and types of labour market flexibility and security prevalent in any nation are to an important extent influenced by meso- and micro-level processes, relationships and policies (Pulignano & Keune, 2014). While significant diversity exists within national institutional contexts, similarities can be observed across different national contexts. Thus, a proper understanding of flexibility and security requires a focus on the distinctive dimensions (macro, meso, and micro) and the factors pertaining to each dimension of flexicurity, including labour market, collective bargaining, and firm-

specific elements. Recent literature has therefore gone beyond the traditional “Varieties of Capitalism” approach (Hall & Soskice, 2001), which focused on the path-dependant nature of national institutions and their consequent influence in determining the outcomes of labour market policies.

Empirically, if the variability of flexicurity arrangements across national contexts is well testified, research at the sectoral level is underdeveloped (Pulignano, Doerflinger, et al., 2016). This constitutes a great limit to understanding the overall effects of labour market reforms. More recent literature has instead supported the hypothesis of existing sectoral patterns of flexicurity. The role of industrial relations institutions is shown to be particularly important in determining the development of flexicurity in specific sectors. For example, sectoral collective bargaining, by establishing a balance between labour market flexibility and security, plays a decisive role in shaping flexicurity outcomes (Ibsen & Mailand, 2011; Paolucci, 2017). At the same time, unions strategies and their capability to mobilise the use of institutional factors can have obvious consequences on the job security of workers (Signoretti & Pulignano, 2016). The possibility of sectoral development of flexicurity is also linked to the extent to which social partners are technically able to deviate from rules set at the national level. In other words, the more collective bargaining is decentralised, the wider the substantive scope for flexibility and security tends to be. This trend towards decentralisation of collective bargaining was also a result of the economic crisis. In fact, decentralisation of bargaining in the form of derogation and opt-out clauses that permit social partners to deviate from agreements set at higher levels were seen as possible solutions to the rigidity persisting in labour markets (Damiani et al., 2020). Consequently, sectoral institutions for the organisation of labour policies should not be overlooked, given their potential to account for sectoral structural characteristics that could be neglected at the national level (Schils & Houwing, 2010) and that can lead to cross-sector divergences in the role of collective bargaining in addressing substantial issues of flexibility and security (Paolucci & Galetto, 2020).

In addition, assessing the effect of flexicurity on precarious work can be an intriguing endeavour. Two considerations are the starting point of this study. First, the growth of precarious employment in contemporary post-industrial societies resulting from the growth of non-standard and atypical forms of jobs (Eichhorst & Marx, 2015) has attracted increasing attention by the literature to the responses of trade unions to precarious

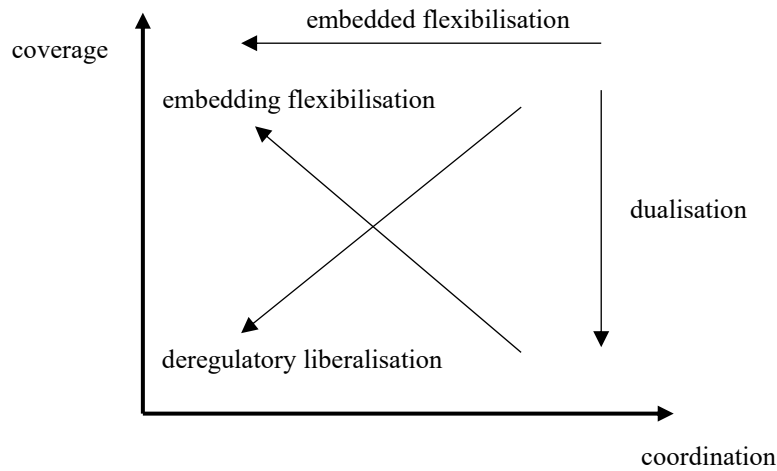
employment (Knox, 2010; Keune, 2015; Pulignano, Ortíz Gervasi, et al., 2016). Second, there is a need for a deeper understanding of the relationship between the flexibilisation of workers and atypical jobs. It is suspected that different flexibility forms influence the precariousness forms in different ways. In particular, external numerical flexibility, intended as easiness to fire and hire, can affect above all employment stability because a loss of a job is usually followed by a career interruption and a certain drawback in re-employment conditions (Seifert & Tangian, 2007). In addition, to favour labour market flexibility, many European countries have undertaken a process of labour market segmentation, whereby an increase in atypical forms of employment and the liberalisation thereof is juxtaposed with the unchanged regulation of existing employment relations. This partial and targeted deregulation has been accused of deeply dividing the labour force, thus creating a ‘dualised’ insider–outsider labour market configuration (Saint-Paul, 1996).

Against this backdrop, I aim to assess the outcomes of flexicurity on seasonal tourism workers. The sector is often considered a clear example of a low-paid service sector associated with precarious work, a generally low degree of employee satisfaction and well-being, and scarce collective organisation (Wood, 1997; Lucas, 2004). Robinson et al. (2019) also underline that there are characteristics of this labour market which existed even before the recent reforms of labour markets. For instance, the seasonality of demand determines significant problems for local firms with respect to the development of local capabilities and stable employment. Moreover, highly-skilled and medium-skilled workers tend to be hired with full-time contracts and to develop several capabilities during their careers while low-skilled workers are hired with seasonal contracts which normally do not allow them to improve their human capital endowment. Consequently, the seasonality of demand can even generate the development of a local dual labour market (Guidetti et al., 2021). Other structural factors of the tourism industries include the presence of temporary workers (Jolliffe & Farnsworth, 2003), and the flexibility in terms of working time of the workforce that leads many employees to be available and work during unsocial hours (Deery & Jago, 2009). These features, suggesting that the outcomes of the sector may be different compared to ‘more standard’ sectors, raise the question of whether recent labour market reforms have introduced even more liberalisation, or, on the contrary, if the sector already presented characteristics that possibly hindered further deregulation of the workforce. This last hypothesis in particular can be provisionally answered by

drawing from two strands of literature. First, we can refer to the dualisation theory (Emmenegger et al., 2012). The theory suggests that the increasing inequality in contemporary societies is the outcome of policies that exacerbate the divide between insiders and outsiders. As a consequence, assuming that seasonal tourism workers are outsiders, they are the ‘losers’ of labour market policies and face increasingly detrimental and disadvantageous conditions. Second, the hypothesis of ‘converging divergence’ provides a possible answer (Baccaro & Howell, 2017). According to this perspective, sectors with a profile of precarious work resemble significant similarities across countries, originating from similar employer strategies and work organisations. This results in organised labour facing comparable challenges and developing comparable sectoral strategies to combat precarious work (Keune & Pedaci, 2020). In other words, it is more likely to observe major differences in the organisation of labour relations between sectors within countries than it is to spot differences across national settings considering the same sector.

To map flexibilisation patterns, I will use the “varieties of liberalisation” approach. According to the main theorist Thelen (2014), although there is evidence of a common trend toward deregulation, the term ‘liberalisation’ needs to be understood through its different dimensions. In particular, two aspects need to be assessed: coordination and coverage. Coordination refers to those institutions facilitating the strategic coordination of economic actors rather than market competition (Hall & Soskice, 2001). Coverage instead is the ‘encompassingness’ of the institutional agreements, that is, whether they cover a small core workforce or whether unions and the state can impose similar obligations and conditions on firms that would otherwise choose not to participate (Thelen, 2014, p. 12). Combining a reduction or an increase for either of the two dimensions, four possible ideal-types of institutional change can be identified: deregulatory liberalisation, dualisation, embedded flexibilisation and embedding flexibilisation (Figure 1). Deregulatory liberalisation involves the active dismantling of coordination capacities and a simultaneous decline in coverage of existing institutions. Dualisation maintains coordinating institutions, but only with a shrinking core of actors covered by them. Embedded flexibilisation derives from the introduction of more flexibility in coordination while retaining a high degree of coverage of protective institutions. Finally, embedding flexibilisation consists of a flexibilisation of coordination while improving coverage.

Figure 1. Ideal-typical trajectories of institutional change



Source: Thelen (2014); Picot & Tassinari (2017)

At the empirical level, the varieties of liberalisation approach has been used to map institutional changes at the national level. Picot and Tassinari (2017) demonstrate how Italy and Spain, despite similar pressures for reforms in times of crisis, followed a partially diverging path of liberalisation. Tourtouri et al. (2020), analysing liberalisation trends in Greece in the aftermath of the Great Recession, underline that formal institutional change can be insufficient to define the liberalisation trajectory insofar as informal institutional drift, for example in terms of increase of unlawful practices following the decline in union power, can determine a non-compliance to the labour law and thus a decrease in the coverage of institutional arrangements. The work by Di Maio and colleagues (2020) shows how the embedded flexibilisation pattern followed by Switzerland was the result of the state stepping back and delegating key competencies to employers. In a systematic comparative analysis of the direction of welfare change, Ferragina and Filetti (2022) try to map and interpret the trajectories of change in 21 high-income countries, showing that the trajectories are not always path-dependent and consistent with regime varieties previously developed in the literature.

To sum up, the key research questions of my work will be the following. First, I will ask:

RQ1: Which kind of liberalisation trajectory is observable in the seasonal tourism workers' labour market?

In addition, since the importance of national institutions cannot be overlooked when it comes to analysing the level and types of labour market flexibility and security, I will need to first consider the changes happening at the national level. Then:

RQ₂: How do flexibilisation patterns of the seasonal tourism workers labour market relate to the national-level variety of liberalisation?

Assuming that I expect a divergence between these trajectories, I will need then to explain what the factors that drive this divergence are. Therefore:

RQ₃: What are the factors that contribute to the flexibilisation of the tourism workers labour market?

Regarding the first research question, I assume that it can be observed a decrease in the power of organised labour over free market institutions, with a reduction of those covered by institutional arrangements. I will state as my first hypothesis that:

H₁: It is possible to observe a decline in the seasonal tourism workers labour market both in coordination and coverage.

In other words, the (dependent) variable to be explored is a shift in terms of coverage and coordination for arrangements dealing with the seasonal tourism labour market. Second, I need to verify if and to what extent the flexibilisation pattern of the sector is coherent with the trajectory of liberalisation of the country it is embedded. Since I expect that the deregulation has been more marked for labour market outsiders notwithstanding the national context, the second hypothesis can be stated as follows:

H₂: The trajectory of seasonal tourism labour market flexibilisation cannot be predicted on the basis of the variety of liberalisation the country has followed.

In this case, the independent variable is the variety of liberalisation followed by the country, while the dependent variable is the liberalisation pattern of the tourism sector. Lastly, exploring the factors that contribute to the flexibilisation of the sector means that first we need to understand whether specific sectoral features are more important than the national environment. Linking this third hypothesis to my previous assumptions, I can state that:

H₃: National institutional arrangements do not shape the outcomes of flexicurity on seasonal tourism workers as much as structural factors do.

3. Research design and methodology

Given the growing awareness that variation within countries may be as large, or even larger, than between countries (Bechter et al., 2012), this work will expand its comparative view by adopting a specific sector rather than a whole country setting as a frame of reference. Furthermore, focusing on one sector, as done in this work, offers additional insights by facilitating an investigation of variation between national settings. My in-depth analysis considers two countries – Italy and Spain – and a specific time span. The choice to limit the time scope to the years between 2010 and 2019 intersects with the choice of the space scope. The beginning is consistent with a part of the literature which underlined the start of spending cuts, fiscal austerity, and the first crisis-induced reforms (Schmidt, 2012). The end of the period allows me to avoid the disruptive effect of the COVID-19 pandemic on the labour market. Spain and Italy provide good examples for studying reforms under austerity since not only they were exposed to external pressure (Pérez & Rhodes, 2014; Hopkin, 2015; Pavolini et al., 2015), but they also followed partially different liberalisation patterns (Picot & Tassinari, 2017). Furthermore, the tourism industry occupies a central economic position in terms of employment and contribution to GDP in both countries.

Data was collected with a combination of qualitative tools. This way of collecting data is recurring in existing industrial relations studies (e.g., Paolucci & Galetto, 2020; Paolucci & Marginson, 2020). Empirical data was collected through content analysis and semi-structured interviews. The content analysis consisted of the perusal of labour legislation at the national level, sectoral collective agreements, and any other relevant document which addresses the status of seasonal tourism workers. To complement this secondary literature, I also drew from a series of online articles and policy reports on the tourism industry. Most of these documents were obtained from websites of trade unions and employer associations. Moreover, to triangulate data that were quickly reported by interviewees, I also accessed data from national statistics institutes, namely the Spanish INE (*Instituto Nacional de Estadística*) and the Italian ISTAT (*Istituto Nazionale di*

Statistica). Semi-structured interviews targeted trade union officials, employer representatives, and key insiders. Other works aimed at assessing the liberalisation trajectories and studying processes of labour market deregulation followed a similar methodology (Kornelakis, 2014; Watanabe, 2015; Tourtouri et al., 2020). Targets have been identified through online research and on the websites of trade unions and employer associations. If possible, a specific representative operating in the field of industrial relations was identified and reached out directly. Otherwise, secretarial offices were contacted. Provincial and regional-level union representatives were also targeted. Emails were sent to all major social partners with a form of representativeness in the tourism industry. The intended aim was to obtain an equal representation among the various parts and their various organisations. For example, representatives of the three major Italian sectoral trade unions – FilCams, UilTucs and Fisascat – were emailed. However, the response rate from unions has been really low and only one Italian trade union representative was interviewed.

The nine interviews, which took place between May and September 2023, were held in a series of ways, depending on the availability of the person. Thus, face-to-face, online, and telephonic methods were used. With the consent of each interviewee, the interviews were recorded to facilitate the transcription phase, and anonymity for the attribution of quotes was guaranteed. Interviewees were asked about the impact of the national labour market reforms on the tourism workers' labour market, as well as the changes in collective bargaining within the sector. In particular, four dimensions of labour market policies were considered and consequently asked, namely interventions in the field of unemployment insurance, collective bargaining regulation, active labour market policies, dismissal procedures, and employment protection legislation (Picot & Tassinari, 2017; Theodoropoulou, 2018). The duration of the interviews ranged from thirty minutes to an hour. First, the recorded material was transcribed in full. Then, the respondent speech was cleared of all redundant or superfluous information, and each interview was lastly analysed.

4. Outline of national trajectories of liberalisation

4.1. Italy

The case of labour market reforms in Italy has been of great interest even before the outbreak of the economic crisis. Similarly to other Mediterranean and Continental

countries in Europe, the reforms in the first decade of the 2000s increased the dualisation of the labour market, since the main effect of flexicurity was the deregulation of the entrants whilst leaving mostly unchanged the employment protection legislation for the insiders (Jessoula et al., 2010). During and in the immediate aftermath of the Great Recession, however, reforms led to a peculiar form of ‘welfare readjustment’ which followed with a partial post-industrial logic (Jessoula & Vesan, 2013; Vesan & Pavolini, 2018). As underlined in a previous study (Picot & Tassinari, 2017, pp. 473–7) during the years of the economic crisis Italy has followed a “embedding flexibilisation” pattern. Yet, the various Italian cabinets governing after the crisis have adopted measures that had a different if not diverging impact on Italy’s labour market. For example, one common element of the 2011 reform prompted by Silvio Berlusconi’s centre-right government and the 2014 ‘Jobs Act’ approved by the centre-left cabinet led by Matteo Renzi both ended to cut coordination through impactful deregulation of dismissal protection and the decentralisation of collective bargaining. On the other hand, these and other reforms – including the contested ‘Fornero Reform’ (Law no. 92 of 2012) – introduced an improvement in the coverage dimension in the unemployment protection system and unemployment assistance, although with regard to the latter results remained still less impactful than aspired.

4.2. Spain

Spain has been an interesting case of labour market reforms as well. Such reforms have been described as leading to a flexibilisation at the margin, with the result of a pronounced dualisation between insiders and outsiders (Bentolila et al., 2011; Dubin & Hopkin, 2014). In the years of economic crisis, the pressure of external actors, namely international financial institutions and the European Union, had a significant impact – possibly even more than Italy – in shaping labour market change and, more broadly, trajectories of welfare change (Pavolini et al., 2015). The overall patterns followed by labour market reforms in Spain have been labelled as deregulation pure and simple (Picot & Tassinari, 2017, pp. 469–73), and, when analysing in depth the scope of these reforms, this is unsurprising. The first re-regulation of the labour market (Royal Decree no. 10 of 2010) was undertaken by the centre-left government of José Zapatero, but it was the centre-right of Mariano Rajoy that took charge in 2012 that introduced more radical and far-reaching changes by intervening in a series of crucial fields. The 2012 reform (Royal Decree no. 3 of 2012) drastically intervened in employment protection legislation, by reducing the

burden of unfair dismissal and simplifying rules related to justified economic dismissals. It also favoured flexibility in entry through the creation of a new type of open-ended contract with a trial period of one year and unlimited possibilities of dismissal by the employer. Another relevant change went to the heart of collective bargaining. The reform clearly decentralised labour relations with the establishment of the priority of firm-level agreements over sectoral agreements, by easing the power of employers to change contractual conditions at the firm level, and by abolishing the principle of ultra-activity (*ultraactividad*), which automatically extended the duration of an agreement once expired until parts would negotiate a new one. Even this short overview testifies that labour market reforms in Spain had the twofold effect of lowering the coordination of social actors and the workforce covered by protective institutions of organised labour.

5. The tourism labour market and industrial relations between 2010 and 2019

5.1. Italy

When analysing labour relations of the tourism sector in the period 2010-2019, some of its historic distinctive characteristics cannot be overlooked. One element is related to the industrial relations system, which also reflects the broader model of Italian industrial relations (ITA interview, 1). Differently from sectors like the metalworking or the public sectors where collective bargaining has been historically strong and well-established, in the tourism sector industrial relations are considered quite fragmented and with a low level of institutionalisation. Besides the main national multi-employer collective agreement (*Contratto Collettivo Nazionale del Lavoro*, CCNL) of the sector, tourism presents also a second level of bargaining at the provincial or firm level more calibrated on local specificities. The main instrument to determine the main terms of employment, however, is the CCNL, signed by the most important and representative unions and organisations, like FISASCAT (Italian Unions Federation of Commercial Services Related to Tourism), UILTUCS (Italian Union of Tourism, Trade and Service Workers), and FILCAMS (Italian Federation of Trade, Tourism and Service Workers) – that are the sectoral offshoot of the three major national trade unions, namely CISL (Italian Confederation of Trades Unions), UIL (Italian Labour Union) and CGIL (Italian General Confederation of Labour)

respectively – and Federalberghi (Federation of Italian Associations of Hotels and Tourism), Confcommercio (Italian General Federation of Traded, Tourism and Services), and FIPE (Italian Federation of Public Operators) on the employers side. Two national collective agreements were signed in the period considered: the first one in 2010 and the second in 2014. Despite the different economic and regulatory frameworks in which the two agreements were reached, the differences between the two texts are more formal than substantial. The first aspect is that the employer associations signing the agreement changed. Starting from 2011, there has been a diaspora of some firms, mainly campsites and hotels, that merged into Federturismo, linked to the most important national-level employers federation Confindustria. Therefore, while before 2011 there was a singular sectoral agreement, that eventually annexed some special parts dealing with specific sub-sectors, from 2014 trade unions had to conclude two types of collective agreements, signed on one side with Confcommercio on core businesses like hotels, travel agencies, B&B, and so on, and on the other side with Confesercenti and FIPE in relation to public establishments and other businesses linked in some way to tourism, like bars, restaurants, bathing establishments or nightclubs. According to a trade union representative interviewed, the fragmented landscape of industrial relations in this sector had a detrimental effect on the stability of the bargaining table and the renewal of the agreements. Consequently, it happened that negotiations were carried on up to 18 months after the expiration of the collective agreements (ITA interview, 2). In reality, the substantial differences between the 2010 CCNL and the agreements signed after 2014 are minimal, as they respond to the same needs of two subsectors of tourism-related businesses (ITA interview, 4). Moreover, both contracts belong to the same national bilateral body, which specifically emerged from the agreement between the employers and the unions and acts as an intermediary to foster firm competitiveness and growth, labour market dynamicity, and workers training.

The existence of a national-level collective agreement, however, did not erase abusive practices. First, in some cases, firms pursued single-employer arrangements with subjects that were not exactly representative of the workforce. Some of these ‘pirate’ agreements, i.e., social dumping, led to a significant reduction in the working conditions of tourism workers. Second, the absence of a well-established system of control and oversight implied that the sector witnessed a huge level of irregularities. From a recent special action

promoted by the National Labour Inspectorate, irregularities were found in 76% of tourism and public establishments firms (Il Sole 24 Ore, 2023). An expert said:

I have interviewed people covered by the national collective agreement that in the lightest case they were people that [...] were hired with a different level, in the most serious cases were hired with multiservice contracts instead with that of tourism, which is 25% less of its economic value. This is the problem, that is to say, that the law is not enough. I can state that tomorrow I will introduce an hourly minimum wage of 15 euros. But then we need also to see how many can respect this (ITA interview, 1).

The existence of irregularities is strictly interrelated to the broader economic landscape of Italy since the great number of small and medium enterprises is also a feature of the tourism sector. A trade union representative stated that is normally more difficult for unions to intervene in micro and small firms on disputes between workers and employers because procedures are different than in large firms. According to her view, seasonality and the hiring of many workers in specific periods of the year lead many small enterprises to break rules more easily. Furthermore, labour inspectorates usually control less in seasonal firms, both because they have to concentrate their work on a large number of firms that are open during a limited period, and also because territorial labour inspectorates are not limited to specific sectors (ITA interview, 2).

When asked about the effect of national labour market reforms on seasonal tourism workers, all interviewees underlined that the most impactful act was without any doubt the ‘Poletti Decree’ (Decree no. 34 of 2014), in particular its provisions reforming unemployment benefits. Before 2014, seasonal tourism workers could rely on a seasonal unemployment benefit that allowed them to be socially protected during the period of the year when they would not work. The Poletti Decree introduced the NASpI (New Social Insurance for Employment) with a more universal character, but that eventually proved to be detrimental for seasonal workers, in particular with regard to the duration of the unemployment benefit. Differently from the previous seasonal unemployment benefit, the NASpI calculates the duration as half of the time of regular working contributions. Therefore, if a worker has six months of contribution, he will be entitled to the unemployment benefit for just three months. The rest of the year, the worker has to decide either to find another job or to remain without an income. Before the introduction of the NASpI, the

seasonal unemployment insurance allowed not only seasonal workers to eke out after the end of the working season, but also to sustain entire territories whose economies were completely reliant on tourism, like smaller southern islands such as Ischia or Capri. Thus, the repercussions of the changes introduced by the Poletti Decree had a broader national effect and caused a huge crisis in the labour market of seasonal tourism workers. The trend is that people are realising that a seasonal job in the tourism sector will not provide an income all year long. For this reason, as more and more young people are working in the sector, working in tourism is now seen as a gig, because of the absence of financial stability, altogether with precarious working conditions (ITA interview, 2). To conclude this first aspect, both trade unionists and employer representatives agreed that the reform of the system of unemployment benefits had an overall detrimental effect on the labour market and caused serious problems in recruitment to firms.

While the revision of the dismissal procedure legislation caused a great internal debate, in particular concerning Article 18 of the Workers' Statute which guaranteed high levels of protection for workers on open-ended contracts in firms with more than 15 employees in case of unfair or unjustified dismissal, the effect on the seasonal tourism workers' labour market was mitigated by the fact that about 40% of the workforce is hired with a fixed-term contract. This summed to the presence of a large number of small enterprises, making the application of Article 18 problematic in any case, since it referred to firms with more than 15 employees. An employer representative stated that the reform and abrogation of Article 18 was an "Italian quarrel" that had little effect on the labour of the tourism sector exactly for this reason (ITA interview, 3). This happened despite dismissal procedures becoming more frequent as the sector has been facing a relevant process of externalisation, whereby accommodation facilities are outsourcing services like maintenance, laundry, and food and drink. The same employer representative recognised that this has led to a conflict with a social outline, but the issue of dismissal due to outsourcing is a purely economic issue and not a discriminatory one. Consequently, the reform of Article 18 of the Workers' Statute was not particularly impactful on the sector.

Another aspect that is worth analysing is the regulation of standard and non-standard forms of employment within the tourism industry. One first element to consider was the liberalisation of vouchers introduced by the Jobs Act. The vouchers are hourly tickets used to compensate workers for accessory jobs for which the net hourly salary amounts

to € 7.50. The 2014 decree increased the maximum yearly income that can be received in vouchers from € 5.000 to € 7.000. This however created a regime in which vouchers were more likely to be used for dependent work rather than for accessory one. Not only the effect was a further liberalisation of irregular job types, but it also increased the number of workers that, being under this kind of relationship, did not have any social security rights (Fana et al., 2016). In some geographic areas like the coasts of Veneto and Romagna (INPS, 2018), the impact of the liberalisation of vouchers on tourism was relevant, although only temporary, since a decree approved in 2018 completely abolished them. Usually, it seemed that the more seasonal the demand, the more vouchers were sold: while in sun-and-sea destinations millions of vouchers were used, in de-seasonalised contexts like historic cities (Venice, Rome, Florence and so on) their use was limited to the contingent situation when smaller firms could not hire with an open-ended or fixed-term contract (ITA interview, 1). Another example of flexibilisation was the attempt to liberalise the use of fixed-term contracts. The Jobs Act, in fact, increased the possibility of employers hiring workers with fixed-term contracts with a duration of up to three years and without the need to refer to specific conditions. Such procedures were called ‘acausal fixed-term contracts’. Although the so-called ‘Dignity Decree’ (Decree no. 87 of 2018) reduced the possible length of acausal fixed-term contracts from three to two years, its dispositions were derogated for all seasonal hirings. Likewise, the Fornero Reform added costs for fixed-term contracts of 1.4% on the first contract and an additional 0.5% for the renewal, but again seasonal contracts were excluded from the application of these costs. The derogations here explained were also agreed upon by social partners and later included in the CCNL (ITA interview, 5). However, an employer representative underlined that the concrete effects of these reforms were oftentimes overrun by the logic of competition in the very labour market:

In the labour market, a rule of competition between contracts exists: if you make fixed-term contracts less flexible, I probably will introduce more intermittent work; if you make intermittent work less flexible, I will do more part-time contracts. [...] A reform can in some way increase or decrease the recourse to fixed-term work in favour of permanent work or the other way round, but this is not statistically significant (ITA interview, 3).

The last dimension of institutional changes is active labour market policies. Despite the attention given by policymakers since the first labour market reforms of the period, many interviewees underlined that Italy does not have an effective system of active labour market policies. At the sector level, bilateral bodies have been experiencing significant growth also in terms of their importance (ITA interview, 1). Tourism bilateral bodies in the past years have developed as one of the most important instruments of activation of tourism workers, both by offering training and even some forms of income support. Yet, despite the innovation brought by the increasing relevance of bilateral bodies, active labour market policies were and remain one of the great absentees of the Italian welfare system. The tourism sector also suffered from the inefficiencies of the public administration and no specific provision improved in concrete either the coverage or the coordination in this domain.

Once the effects of institutional arrangements on the sector were explored, interviewees were asked about structural factors. Without many hesitations, seasonality was considered the most relevant. In Italian public law, seasonality has a variety of meanings. We can refer to a 'pure' seasonality, intended as a period of inactivity of firms as recognised in a 1963 Presidential Decree, whereby seasonality is applied to those activities that have a period of inactivity of at least 70 continuative days or 120 non-continuative days over a year. An agreement signed in 2008 between social partners also connected the concept of seasonality to periods of religious or public festivity both national, demonstrations, promotional or commercial activities, and seasonal intensification in firms with an annual opening. All these aspects represent the preliminary step for the institutionalisation of firms' demand for flexibility, which was brought by employer associations to widen the periods in which the definition of seasonality is applied. Seasonality stems directly from the requirement of the market and therefore does not only apply to firms opened only for some months during a year, but also to all of those that face an increase in the demand in a given period during the year. Consequently, Italian firms adapt to periods of intensification or reduction of demand through a decrease or increase in recruitment. According to an employer representative, seasonality is a non-conflictual issue with trade unions, because they have to acknowledge that, for instance, sun-and-sea destinations attract tourists only during summertime, or that Venice Carnival lasts no more than 20 days (ITA interview, 3). The trade union representative interviewed, however, did not see things in

the same way and had more difficulties in recognising the binomial flexibility-seasonality:

Firms have been asking us for more flexibility for quite some time. We are trying to resist in order to keep the level of flexibility required by the national collective agreement. Because with that instrument, we have already difficulties in finding available personnel, therefore we don't believe that, even with respect to the demands of firms, we have to provide further flexibility. What have been asking firms in the past years? Much flexibility therefore much more possibility to find times and moments when the work is higher [...]. This is not the way the union is willing to undertake, and I can motivate it in this way: we believe that firms already have the flexibility they need (ITA interview, 2).

She never mentioned that flexibility is a structural feature of this labour market, quite the opposite: an “extreme demand for flexibility” by firms is one of the main reasons why they are struggling to recruit workers. In concrete terms, firms are asking for a cost reduction for the workforce, in particular by reviewing paid leaves and seniority benefits. The review of this latter aspect has been considered particularly detrimental both for workers and firms because seniority benefits were deemed a good instrument to favour professionalism and the investment in the human capital of employees working for many years in the sector. More (or extreme) flexibility complements the already mentioned problems related to the absence of a proper social safety net – in particular in terms of unemployment benefits – and the unaccustomed behaviour of firms to respect rules (ITA interview, 2). A researcher on work in tourism agreed that flexibility, in its various forms, has been:

favoured by a series of liberalisations of contracts but also by the very tourism national collective agreement that regulates these forms of flexibility by acknowledging that the use of the workforce in this sector has some hourly, weekly, and monthly specificities in some periods of the year, in exchange of an economic treatment that was meant to be more favourable (ITA interview, 1).

Sectoral specificities were recognised by the national welfare system, for example in the unemployment benefit for seasonal workers, before the introduction of the NASpI. Most importantly, the national collective agreement for the tourism sector has institutionalised a series of guarantees for seasonal tourism workers. The first one is mandatory

recall. After the seasonal contract expires, an employee can express the availability to work for the same firm the following season, and, in that case, the employer is obliged to hire that worker for the next season. Another guarantee is the right of priority in case of open-ended hiring. If a firm decides to abandon a seasonal opening and decides instead to operate all year long, it has the obligation to give priority in its hiring with open-ended contracts to those who had previously worked with a seasonal contract in that firm. The 2014 CCNL also introduced a novelty in the tourism labour market, namely a balance of hours for seasonal workers with a fixed-term contract. The balance of hours allows each worker to work overtime to accumulate hours of paid leave to be used in future. Its introduction for seasonal workers represents another good example of how seasonality has favoured new norms and regulations to face the demands of both employers and employees and, therefore, the demand for flexibility of the former *vis-à-vis* the demand for social security by the latter.

5.2. Spain

The complex scenario of sectoral industrial relations in the sector is found also in Spain, where the national multi-employment sectoral framework agreement complements the wide amount of regional, provincial, and firm-level agreements. Each subsector has its collective agreement that covers all workers and employers. For core businesses, it is the National Agreement for the Hospitality Sector (*Acuerdo Laboral de Ámbito Estatal para el Sector de la Hostelería*, ALEH). The ALEH mainly regulates matters like the structure of collective bargaining, regulation of the contracts, gender equality, safety and health at work. All other sub-national agreements deal with the issues that are not covered by the ALEH – mainly aspects of wages and working time – and they normally cannot negotiate what is already regulated at the national level. Even though this leads to inter-regional disparities and differences regarding wage and working time regulations, the system builds on the traditional strong decentralisation of Spain. In the period observed, two Frame Agreements were signed, the first in 2010 (ALEH IV) and the second in 2015 (ALEH V). Despite being signed in the middle of the crisis, the 2010 Agreement did not differ significantly from the previous one signed in 2005, if not for some clauses related to equality between men and women and safety, health, and prevention of risks at the workplace. The 2015 ALEH V instead represented an important milestone for labour relations in the tourism sector, as many of the novelties were prompted in response to the

economic crisis. In addition to the widening of the coverage of the Agreement to new businesses like modern restaurant chains, it was convened that, unless expressly agreed, the ALEH would be extended from year to year and its validity would not be lost until a new agreement would be negotiated. This clause was considered an important win by trade unions as it protected the sector against the fall of ultra-activity (SPA interview, 5). The ALEH V also reinforced the regulation of the structure of collective bargaining. Placing the Agreement at a higher structural level, it set exclusive competence to determine the structure of collective bargaining, establish the rules to solve the conflicts related to the concurrence of agreements and the definitions of issues that cannot be negotiated at lower levels, which were clearly defined in the Agreement. The final relevant innovation incorporated a series of dispositions that were discussed and agreed upon in the previous years. They regulated the rights of professional promotion and, in particular, the aspects deriving from functional mobility, i.e., internal job flexibility. According to social partners, the adoption of internal flexibility practices was considered a crucial tool to foster both firm competitiveness as well as job security and quality.

Among the most relevant employer organisations operating in the tourism sector there are the CEHAT (Spanish Federation of Hotels and Holiday Accommodation), CEHE (Spanish Employer Federation of Hotels), as well as the sectoral branches of the main national employer associations CEOE (Spanish Federation of Employer Organisations) and CEPYME (Spanish Federation of Small and Medium Enterprises). On the trade unions side, the most representative organisations at the national and sub-national levels belong to the two most important national trade unions CCOO (Workers' Commissions) and UGT (General Union of Workers). The CCOO included in its structure until 2014 the National Federation of Trade, Hotels and Tourism which then merged with the Federation of Financial and Administrative Services into a new single entity that grouped 15 sectors related to services, including that of tourism and hospitality. A similar change happened within the UGT that the same year merged the Federation of Commerce, Catering-Tourism and Games with other service-related sectors in the Federation of Services, Mobility and Consumption. Regardless of these changes, the crisis did not significantly alter the collective bargaining in the sector. Labour relations developed with normality and smoothness notwithstanding the difficulties imposed by the crisis. According to a labour law expert, neither did the reforms of the national industrial relations system affect

substantially the collective agreements system in the tourism and hospitality sector. The 2012 reform of the centre-right executive led by Mariano Rajoy, adopted under external pressure from international financial institutions, favoured the adoption of collective bargaining at the firm level, rather than at the regional or national level. More specifically, when agreements could be negotiated at the firm level, they could regulate minimum wages and possible increases related to increases in productivity, overtime payments, working hours and yearly vacations, when and how the Workers' Statute is applied to the firm, and work-life balance. The fluidity of the sectoral negotiations was instead not affected by the new institutional framework dictated by the crisis (SPA Interview, 1). The resilience of collective bargaining institutions has been primarily linked to the tradition and experience of both trade unions and employer organisations. No social partner was unwilling to negotiate labour issues and, vice versa, no employer organisation normally refused to enter negotiations. Moreover, the periodical Agreements for the Collective Bargaining and Employment (*Acuerdos para el Empleo y la Negociación Colectiva*) signed on several occasions during the period considered provided a solid framework to develop a dialogue between social partners.

When it comes to the view of unions, the landscape of industrial relations in the period of the reforms was described in significantly darker ways. It is objectively clear that the labour reforms impacted collective bargaining in Spain, as a trade union representative stated:

we were massacred enough by the collective bargaining and labour relations, on top of that the fact that the reform came from a left-wing government. But the 2012 reform, that of the right, went even further. And it transferred all decision-making power, both in collective bargaining and in agreements as well as in the ultra-activity of those agreements – everything was transferred to the employers' side (SPA interview, 2).

While sectoral collective bargaining did not suffer from the national reforms of 2010 and 2012, there is no doubt that these reforms favoured labour market flexibility. The 2012 reform, in particular, introduced three novelties that had a profound impact on the tourism industry and its labour market. First, it enabled firms to change the wages of workers, which had been previously impossible even in conditions of economic or productive difficulty. Second, it enhanced the power of employers to irregularly distribute

the workforce during the day, allowing the company an irregular distribution throughout the year in an amount equal to 10% of the working day. Third, and most importantly, the reform widened the possibilities of the firm to avoid the application of the collective agreement on its employees. In particular, it facilitated access to a legal mechanism (previously absolutely exceptional), which allowed companies to remove themselves from the application of the national collective agreements not only for objective cause given by the decrease in ordinary income or sales for two consecutive trimesters compared to the same period of time of the previous year but also for a wide myriad of economical, technical, organisational and productive reasons (SPA interview, 1). The effect of this latter measure resulted in the proliferation of outsourcing practices of sub-sectors like housekeeping, maintenance, animation, gardening, and catering. Outsourcing is seen by unions as a result of the increasing flexibility in the hands of employers and the need to cut costs to increase productivity. Since outsourced employees are subcontracted under multi-service contracts, they are likely to be under even lower salaries and more precarious working conditions (SPA interview, 5). For this reason, unions responded by organising strikes and protests and eventually could convince employers to sign in 2016 a new sectoral national collective agreement for collective catering, which offered significant improvements in working conditions and wages. Lastly, the 2012 reform added an explicit measure that extended the period of activity of workers with fixed permanent seasonal contracts (*contrato fijo discontinuo*) in the tourism, tourism-related services, and hospitality sectors. In fact, this provision introduced a specific bonus for the hiring of discontinuous permanent workers or seasonal, to encourage reuse and, where appropriate, the maintenance of these contracts in the sector. Firms operating in the sector, and specifically firms that generate productive activities between March and November and consequently hire during these months, could apply a bonus of 50% on social security contributions, including those related to unemployment and training.

Overall, the 2012 reform was considered a great aid for the internal flexibility of firms operating in the tourism and hospitality industry, as it allowed to dictate new labour conditions to the workers rather than forcing a firm either to shut down or lay off employees. At the same time, it promoted the recourse to seasonal contracts by providing incentives for seasonal hiring. Firms:

believed that all these changes were necessary. This was basically for two reasons. First, because tourism firms – like all other firms in any other sector – were facing obvious difficulties in recovering from the crisis. Second, because everyone knew that a Spain without tourism wouldn't have survived for more than a year (SPA interview, 3).

The effect of the crisis on the seasonal tourism workers' labour market has been, in fact, quite peculiar. While almost any other sector employment levels dropped, the tourism sector experienced a surprisingly slight increase in employment and thus was considered a good instrument to foster economic recovery in Spain. The Spanish National Institute of Statistics (INE) reports in fact that between 2009 and 2016 employment in tourism activities increased by 13.4%, compared to the 6.2% decrease in other sectors throughout the same period. Overall, policy-makers, in light of the capacity of this sector to create jobs, deeply relied on tourism as the “employment engine of Spain” (SPA interview, 4).

Yet, the outcomes of the labour relation changes within the tourism and hospitality industries have been far from clear-cut. Trade unions have largely criticised the new provisions as they significantly shifted the power into the hands of employers and “killed collective bargaining, knocked it out” (SPA interview, 2). Due to the limitations imposed on the application of the principle of ultra-activity and the priority of firm-level agreements over national and regional ones, employers were more confident to reach a position more advantageous for them by forcing unions either to take the agreement discussed or simply leave it. In either case, unions felt workers' rights to be eroded. In the first case because employers, using the expedience given by the difficulties of the crisis, advanced options that were detrimental to workers. In the second case, had unions refused to negotiate a new agreement, this latter would have decayed, and workers would have been protected by the hierarchically higher agreement or, in its absence, by the Workers' Statute. But criticisms of the labour reform came also from the employers, who were unsure about its outcomes. In fact, the interests of Spanish firms were not fully reflected in the reforms and employers did not support many of the measures taken. The national reforms were more seen as a result of the pressure for liberalisation that were exerted in a first moment by the European Central Bank through the Bank of Spain and then, when in June 2012 the Spanish Government requested external financial assistance for the restructuring and recapitalization of the Spanish banking sector, by the troika (Meardi, 2012). Pushed by increasing international pressure and external conditionality, explicit retrenchment

reforms in the field labour market policies were a forced move for the Spanish government (Pavolini et al., 2015)

Another criticism advanced by trade unions was that these measures tried to facilitate the entrance into the labour market of segments of the population with difficulties related to their socio-economic statuses, like older women, people without higher levels of education, students, or those who need to strike a balance between private life and work. On the one hand, the employment level of these segments of the population in the tourism labour market grew during the years of the crisis, but this also resulted in their exposure to harder working conditions, over-extended working hours, and limited investment in training (SPA interview, 5). According to a trade union representative, the starkest example of this shift in the balance of power relates to salaries. During the crisis, the salaries in the sector suffered a freeze, as they stopped being linked to the company revenues and the cost of life in Spain even after the economic recovery. Consequently, compared to the Consumer Price Index in the country, the salaries in the sector experienced a setback (SPA interview, 5).

It is worth underlining, instead, that none of the interviewees highlighted relevant changes in the field of unemployment benefits and active labour market policies. The 2012 reform decreased the generosity of unemployment benefits, primarily affecting the replacement rate. The new net replacement rate dropped from 70% to 50% after six months of benefit receipt, differently from the drop from 70% to 60% set in the previous system. Yet, a trade union representative stated that, as salaries are so small in the sector, no difference was perceived by workers facing unemployment spells notwithstanding the changes (SPA interview, 2). As far as active labour market policies are concerned, since no relevant national-level change was recorded in the period, neither is a significant change in the tourism labour market observable. Moreover, most seasonal workers are hired under the *fijo discontinuo* contract, which ensures that employers will hire them again the following season. Workers, during the unemployment spell, are receiving the benefit but are thus completely uninterested in active labour market policies.

As for their Italian counterparts, Spanish interviewees described seasonality as the main structural element that influences the tourism worker' labour market. However, it was also underlined that other factors need to be considered (SPA interview, 3). The first relates to the relative importance of catering as a subsector of the tourism industry.

Although most regional and provincial collective negotiations comprehend collective catering within the same agreement as other subsectors like hospitality or travel agencies, a significant part of restaurants, bars and cafés are not linked in any way with tourism, with the consequences that bad labour practices that recur in catering undermine the global perception of tourism employment (SPA interview, 4). The second element is the labour-intensive nature of tourism employment, which drives firms to recruit low-skilled personnel (see Pena-Boquete & Pérez-Dacal, 2010), in particular in the collective catering sub-sector. It is sometimes argued that the overwhelming presence of low-skilled employees has hindered the possibility of recognising within the sector the increased importance of directive, technical, specialise, and, overall, high-skilled jobs with superior labour conditions. Trade unions have responded that the great majority of workers in the tourist sector are employed in low-skilled jobs and require a level of social protection that is adequate to the demands of this category (SPA interview, 2). The third element is closely linked to a structural economic feature of Spain, which is the absolute predominance of micro-enterprises, i.e., with less than ten employees, in tourism. Since more than nine firms operating in the tourism sector out of ten are micro-enterprises, it is clear that this has consequences on labour relations and the characteristics of employment in the sector. More precisely, the larger the size of the company, the better labour practices are followed, including in terms of access to state subsidies, training programmes, and professional development. On the contrary, the tourism sector records low levels of investment in training to develop specific skills of workers, specifically as a result of the size or the family-run character of firms. Normally, training programmes are difficult to implement due to the temporary nature of the hiring that links the worker with the firm and the absence of human resource specialists within smaller firms, which translates into the absence of time and resources to allocate to human capital investment programmes (SPA interview, 3).

Seasonality of demand, the main structural element described in the interviews, was seen by interviewees as one of the various forms of variability of demand. A heterogeneous demand throughout the year means that firms need to adapt their size depending on the circumstances. It is in particular in the coastlines and islands of Spain – and significantly the Balearic Islands – where most of the tourism and hospitality industry is located, which record higher demand during the summer, compared to the winter periods. Besides

seasonal variability, other types of flexibility stem from the variability of demand within a week and within the day. Moreover, demand is often even more variable and volatile than the oscillations of jobs created by tourism enterprises, and this is attributed to the impossibility of having a “perfectly flexible” labour market (SPA interview, 3). At the same time, there have been attempts to at least diversify tourism demand not linked to a seasonal logic and therefore more reliant on a demand deriving from those less exposed to labour obligations – like retirees. These programmes, however, hardly have mitigated seasonality.

The consequences of seasonality in the tourism labour market and the management of labour are complex, but generally, seasonality implies a more frequent recourse to fixed-term contracts, part-time working hours, and the difficulty in following human capital development practices, not to mention the general vision that tourism favours precarious employment as a consequence of the variability of yearly, weekly, and daily demand. Hence, the high recourse in quantitative terms to temporary contracts, which make up about 35% of all contracts in tourism. It is in particular the hotel and catering sub-sectors that record most temporary or part-time hirings. In addition, seasonal and part-time contracts are more likely to be found in micro-enterprises, that is to say, in the great majority of the industry (SPA interview, 3). To face the structural consequences of seasonality, Spain has introduced in its Workers’ Statute the already mentioned *contrato fijo discontinuo*, a form of open-ended contract specifically intended for seasonal workers. Regional, provincial, and firm-level agreements may specify and regulate the conditions, forms, and procedures for the hiring each year, or even set minimum quotas of workers that have to be hired under the *fijo discontinuo*. It is not by chance that labour market reforms incentivised the use of the *fijo discontinuo* as a result of pressure from employer organisations. This type of contract in fact was considered the best way to increase numerical flexibility, whilst establishing a permanent relationship with the workers (SPA interview, 4).

6. Discussion of the findings

In the previous chapters, I analysed the changes undergone in the Spanish and Italian seasonal tourism workers’ labour markets. Following the taxonomy proposed by Thelen (2014), in the next lines I will also explore how the sector liberalisation patterns relate to the national varieties of liberalisation.

In Italy, institutional arrangements shaped in a significant way the outcome of the seasonal tourism workers' labour market reforms (Table 1). The most important element was the revision of unemployment benefits. In fact, while the entitlement to unemployment benefit was enhanced by the 2012 Fornero reform, leading to a broader coverage of unemployment, the 2014 Poletti decree reduced the duration of the benefit. Consequently, most seasonal workers were not covered by unemployment benefit outside the working season. The reform of the unemployment system exacerbated the difficulties of providing seasonal workers with a stable income, and, broadly speaking, the access to welfare rights, given the characteristics of the Italian occupational welfare model which generally gives access to social security benefits only to holders of continuous fulltime work contracts (Barbieri & Scherer, 2009; Sacchi & Vesan, 2015). Overall, the reform of the unemployment benefit led to a stark reduction in the workforce covered by this system of social protection.

With regards to the collective agreement, important consequences derived from the fragmentation in the social partners signing sectoral collective agreements, as well as the increased proliferation of social dumping practices. Even though some of the changes described, in particular the split between employer associations that led to the signing of two CCNL for the tourism industry in 2014, should not be overemphasised, these elements resulted in a reduction of the coordination of organised labour. The arrangements of the collective bargaining level, in particular the 2014 CCNL, have also introduced or kept some clauses with a relevant impact on this labour market, like the right of priority or the balance of hours, thus responding to the special needs of employers and employees of the sector. While these provisions correspond to a modest increase in the coordination dimension, we should consider also the effects deriving from the re-regulation of fixed-term contracts. Both the extension of the duration of acausal fixed-term hirings and the exclusion of seasonal contracts from the application of a surtax implied more numerical flexibility both in exit and in entry, or, following our theoretical framework, a shift towards lower coordination. A comprehensive understanding of the outcomes of recent policies, however, cannot overlook the effect of structural and long-term trends. These include the peculiar economic Italian system based on small and medium firms that makes it difficult to ascertain an optimal level of rule compliance, the fragmented and not highly

Table 1. National and sectoral reforms in Italy

Provision	Content	Implication by dimension of liberalisation (national level)		Implication by dimension of liberalisation (sectoral level)	
		Coordination	Coverage	Coordination	Coverage
L. 92/2012	Reform of the unemployment benefit		+		
	Deregulation of dismissal protection	-			
	Re-regulation of non-standard employment		+		-
Decree 34/2014	Reform of the unemployment benefit				-
L. 183/2014	Modernisation of public employment services		+		
	Reform of the unemployment benefit		+		
	Incentivisation of open-ended contracts		+		
	Liberalisation of vouchers	- (provisional)		- (provisional)	
	Deregulation of dismissal protection	-			
Industrial relations	Fragmentation				-
	Social dumping			-	
2014 CCNL	Special provisions for seasonal workers			+	(modest)
'Informal' drift	Weak role of labour inspectorates			-	
	Presence of SME			-	

Source: author's own elaboration; Picot & Tassinari (2017)

institutionalised landscape of industrial relations in the sector, and the economic instability. A last element is the demographic crisis that has been striking Italy during the last decades. As the sector attracts a lot of young workers, including those who are looking for an easy way to enter the labour market and students who are willing to work a short period of the year when they are not busy studying, the thinning of the cohort of young people due to the progressive decrease in the birthrate means that the sector risks to face a shortage in the workforce (ITA interview, 3). As in other low-skill jobs, firms are solving this problem through the recruitment of people from other countries. With regard to active labour market policies, their weak relevance is recurring in the Mediterranean

typology of welfare state. In Italy, the delay in this field can be explained by the intrinsic features. Active labour market policies are often intended as hiring incentives or general training programmes simply aimed at ‘parking’ jobseekers, a feature aggravated by the limited institutional capabilities of public employment services (Sacchi & Vesan, 2015). Therefore, this dimension seems to have undergone almost irrelevant changes.

In Spain, what emerges is how deeply reforms have affected labour relations (Table 2). The evidence regarding possible radical changes in the collective agreements system is weak, that does not mean that the reform had no impact on industrial relations (see also Muñoz-de-Bustillo & Pinto, 2018). The impact has been subtler, as it resulted in the ‘emptying’ of collective agreements. With the change in the balance of power in favour of employers, trade unions have been on the defensive, trying to keep the collective agreements system itself alive, without much power to improve its content. It is thus unquestionable that the reforms facilitated the decentralisation, favouring firm-level bargaining, and thus increased possibilities for employers to opt out from higher level agreements and change working conditions – most relevantly in the field of wages, but also resulting in outsourcing practices. Even though changes introduced by the Rajoy government were to some extent mitigated by some provisions of the sectoral agreement (ALEH V), the reform still made workfare outcomes prevail. This is confirmed by the fact that the sectoral collective agreement institutionalised forms of internal job flexibility in firms, enhancing the employer power of irregular distribution during the working day. Furthermore, while the ALEH V explicitly introduced a form of protection against the fall of the ultra-activity of the agreement, this clause did not apply to the myriad of regional, provincial, and firm-level agreements. In the framework of this work, the changes analysed above mean a shift towards lower coverage and lower coordination.

It is trickier to determine which pattern was followed in the field of the regulation of employment contracts, both standard and non-standard, as well as in the field of employment protection legislation. The only relevant change underlined by interviewees in this regard was the provision that incentivised the use of the *fijo discontinuo* contract. Therefore, it seems that no significant effect on the labour market of the sector was caused by national reforms. This is to some extent surprising since the changes occurred on provisions regulating standard and non-standard employment and employment protection legislation were not negligible. In addition to the relative irrelevance of national reforms in

Table 2. National and sectoral reforms in Spain

Provision	Content	Implication by dimension of liberalisation (national level)		Implication by dimension of liberalisation (sectoral level)	
		Coordination	Coverage	Coordination	Coverage
RDL 10/2010	Deregulation of dismissal protection	–			
RDL 7/2011	Decentralisation of collective bargaining		–		
RDL 3/2012	Deregulation of dismissal protection	–			
	New contract type with one-year probatory period		–		
	Decentralisation of collective bargaining	–		–	–
	Abolition of ultra-activity	–	–	–	–
	Higher internal flexibility for employers	–		–	
2015 ALEH	Automatic extension				+
	Functional mobility			–	(modest)
'Informal' drift	Presence of SME			–	

Source: author's own elaboration; Picot & Tassinari (2017)

the tourism industry, the sectoral collective bargaining sector did not alter significantly the framework established at the national level with regard to the regulation of employment contracts. Finally, differently from the Italian context, unemployment benefits did not experience a significant change. Therefore, in Spain, we can state that the reduction in both coverage and coordination observable in the varieties of liberalisation patterns at the national level, which led to a pure deregulation of the labour market, is found also at the sectoral level. However, it should be also underlined that this sectoral pattern resulted almost exclusively from the decentralisation of collective bargaining.

Not only do structural factors influence in a similar way to Italy the tourism industry labour market in Spain, but the very factors are similar, given the similarities of the socio-economic fabric of the countries. For instance, the size of tourism enterprises has important consequences in terms of investment in human capital and compliance with formal rules. Since the vast majority of Spanish firms are micro-enterprises, best practices

are seldom followed. In this regard, it might be helpful to recall what Tourtouri et al. (2020) define as “informal institutional drift”, which derives from the increase in unlawful labour practices, facilitated by a power shift toward employers and a decline in the power of unions. The most pervasive among structural elements however is seasonality, whose effects on the tourism workers’ labour market are various and multifaceted. Above all, the time-limited nature of seasonal demand is reflected in the more frequent kind of employment relationship. Hence, the high number of temporary contracts in the seasonal tourism labour market.

Bearing that in mind, the empirical evidence that emerges from this study is that in Italy and Spain, the seasonal tourism workers’ labour market experienced a cut in coverage and coordination. Following Thelen’s theoretical framework, this implies that institutional arrangements in both countries resulted in a “deregulatory liberalisation” pattern, whereby the workforce covered by arrangements was consistently reduced by labour market reforms and the coordination among social partners was dismantled. Therefore, the first hypothesis set in this study is confirmed, since it is possible to observe a decline in the seasonal tourism workers labour market both in terms of coordination and coverage. At this point, we should note that the sectoral patterns of liberalisation do not fully correspond to the national variety of liberalisation. In fact, while in Spain the deregulation pattern of national labour market reforms is reflected also in the tourism sector, the same cannot be said with regard to Italy, where the country followed an “embedded flexibilisation” pattern. According to Picot and Tassinari (2017), the increase in coverage mainly derived from the Fornero reform, which discouraged the repeatability of fixed-term contracts by extending the ‘cooling-off’ periods and by reforming more inclusively the unemployment benefit system, and the Jobs Act, which similarly expanded the coverage in unemployment insurance. However, the effect of unemployment benefit revision on seasonal tourism workers has been exactly the opposite, and the re-regulation of fixed-term contracts has undergone *ad hoc* derogation for seasonal activities. Therefore, in the Italian tourism labour market regulation we do not find the increase in coverage that has been observed at the national level. To understand the divergence of patterns between the sector and the national levels we need to look at structural factors. Seasonality implies a cyclic increase and decrease in demand, that translates into the firm need to adapt its workforce allocation accordingly. This results in a higher number of temporary contracts,

whose duration depends on the length of the season, but that generally is no more than six months. In other words, the low coverage in the unemployment insurance system as introduced by the NASpI is an effect of seasonality. In the case study analysed, other structural factors besides seasonality led to a divergence of patterns between the trajectories of national labour market reforms and that of the seasonal tourism workers' labour market, thereby allowing to answer the third and last research question regarding flexibilisation within the sector. More precisely, in the cases analysed, a significant increase in flexibility derives from the small size of tourism businesses and the presence of low-skilled workers. However, the third hypothesis of this study – institutional arrangements do not shape the outcomes of flexicurity on seasonal tourism workers as much as structural factors – cannot be either rejected or confirmed. In fact, even though structural factors do contribute to the flexibilisation of the workforce in tourism, considering institutional arrangements is necessary to get a comprehensive picture. Once again, the reform of the unemployment benefit in Italy is paradigmatic. But similar profound changes derived also from the reform of the collective bargaining system in Spain. Therefore, structural and institutional factors operate on two levels, but they both influence the flexibilisation in the tourism sector.

7. Conclusion

In this work, I considered the industrial relations trends in the tourism industry and compared them to the patterns of liberalisation followed by Italy and Spain. Overall, this study highlighted that institutions, although important, are not the only factors that shape the outcomes of flexibility and security on a sector level. Instead, this work showed how the notion of flexicurity needs to overcome national boundaries, since there are important similarities between the outcomes of labour market reforms when single sectors are compared. In line with the expectations, the labour market of seasonal tourism workers in Italy and Spain experienced similar trends in terms of coordination of the workforce and coverage of institutional arrangements. This confirms previous literature that assumed that, in contrast with the exclusive role of path-dependency, variations in labour relationships between countries can be minimal if the same sector is considered (Baccaro & Howell, 2017; Keune & Pedaci, 2020). It is also confirmed that organised labour in the same sectors across countries faces very similar challenges (Keune & Pedaci, 2020).

Theoretically, this work showed that the static approach of the “varieties of capitalism” cannot fully account for labour market reforms. I tried to go beyond previous work (Thelen, 2014; Picot & Tassinari, 2017; Tourtouri et al., 2020; Ferragina & Filetti, 2022) that applied the “varieties of liberalisation” approach and tried to verify its validity to map sector-level trajectories of change. I chose to focus on a peculiar low-paid service sector with distinctive features, namely the tourism industry. Poor working conditions, job insecurity, work stress, low well-being, lack of work-life balance and emotional exhaustion are some of the characteristics that have increasingly grown in recent years due to globalisation, heightened competitive pressures, and the dominance of large corporations in the tourism and hospitality sector (Papadopoulos & Ioannou, 2023). Therefore, I wanted to explore the extent to which these features were a result of labour market deregulation introduced in recent years in advanced economies or, on the contrary, if a drift towards flexibilisation is inherent to the structural characteristics of the sector.

The findings confirm that Thelen’s framework can be a useful tool to map flexibilisation patterns recurring at the sector level, but at the same time, a proper understanding of the changes in employment relationships not only should consider formal and informal institutional drift (Tourtouri et al., 2020), but also the effects deriving from structural factors, as well as how those factors have a retro-action effect on institutional arrangements. On the one hand, the case studies show the importance of structural factors in shaping the outcomes of flexicurity and labour market reforms (Paolucci & Galetto, 2020). In particular, seasonality has a pervasive effect that regulates the dynamic of labour market demand. Consequently, sector-level institutions have to acknowledge this specific feature. In both the Italian and Spanish tourism collective agreements, in fact, we can find clauses that refer to the temporary nature of hiring. On the other hand, however, it is also confirmed that institutions still matter (Paolucci, 2017; Paolucci & Marginson, 2020; Papadopoulos & Ioannou, 2023). National legislation had a profound impact on the flexibility and security within the tourism industry. In Italy, national labour market reforms made the recourse to temporary hiring less burdensome for employers. At the same time, there has been a revision of the unemployment benefit, in particular with regard to its duration. For this reason, an increase in flexibility combines with a reduction in workers’ security. Labour market reforms in Spain instead went directly to the heart of collective bargaining regulation, with detrimental effects in terms of coordination among

economic actors across all sectors, including in the tourism industry. After external pressure from the troika, the 2012 reform of the centre-right government favoured the decentralisation of collective bargaining – with significant repercussions on the salaries and working conditions of tourism workers.

While this work makes a significant contribution to studies on flexicurity and labour market trends, it also bears a series of methodological limitations. First, as I identify only two case studies, it is not possible to generalise the findings. Concretely, this study showed that the industrial relations trends in the Spanish and Italian seasonal tourism labour market followed only partially the varieties of liberalisation of the country, and that, in the two countries, the sector experienced a drift toward deregulatory liberation in the years between 2010 and 2019. It is therefore wrong to infer such findings to other national contexts or other sectors characterised by poor working conditions and precariousness. Second, the combination of a set of quantitative tools was paramount for the findings of the work, but semi-structured interviews were probably low in number and, most importantly, did not involve a satisfactory portion of social partners. As already highlighted in the chapter devoted to the methodology deployed, only one Italian trade union representative was interviewed. I tried to compensate for this limitation with secondary literature, yet the lack of full involvement of the major social partners in both countries constitutes a relevant methodological bias. Lastly, the choice of the countries may look flawed. The justification provided for having chosen Spain and Italy is related to the similarities in terms of welfare regimes as well as the divergences in national varieties of liberalisation. However, it can be argued that an effective cross-country comparison of the same sector would have been even more interesting if it had considered different varieties of capitalism, thus eventually reinforcing a possible criticism of this latter approach.

Although the present study showed a common trend in two Mediterranean countries in the tourism sector toward deregulation, this does not mean that, as argued by other authors (Baccaro & Howell, 2017), we are experiencing a universal convergence in low-paid sectors towards poor and flexible working conditions. Indeed, this work highlighted that institutions still influence to an important extent employment relationships and flexicurity outcomes. At the same time, the findings clearly indicate how the neoliberal mantra of flexibility is pervasive in the precarious nature of much of tourism employment

(Robinson et al., 2019; Ioannides et al., 2021). For this reason, the tourism sector provides a solid ground for testing the flexibilisation trends recurring in labour market policies through the application of other approaches. In a sector with a low degree of unionisation as tourism, the power resource theory (Korpi, 1983) can find an interesting application, for instance by exploring the extent to which the (weak) power resources available can be employed to fight precariousness in the sector. This question, however, is left for future studies.

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List of Interviews

Italy:

- Interview 1: researcher on labour sociology and tourism, 28/05/2023, face-to-face
- Interview 2: national trade union representative, 13/06/2023, telephonic
- Interview 3: employers' representative, 04/07/2023, virtual meeting
- Interview 4: employers' representative, 01/08/2023, virtual meeting

Spain:

- Interview 1: tourism labour law professor, 03/08/2023, telephonic
- Interview 2: regional trade union representative, 28/08/2023, virtual meeting
- Interview 3: researcher and member of think tank, 02/09/2023, virtual meeting
- Interview 4: employers' representative, 07/09/2023, virtual meeting
- Interview 5: national trade union representative, 14/09/2023, virtual meeting