

The History of the AFMP/FNV

Bijgedragen door Internetredactie
woensdag 03 januari 2007
Laatst bijgewerkt op zaterdag 06 januari 2007

The history of the Dutch associations for military personnel dates back to 1898 (!) when the first association for Non-Commissioned-Officers (NCO's) of the Army was founded. The main reason for founding such an association was the fact that in these days there was almost no social security for the NCO.

While on active duty, medical care for both the NCO and his family was very poor and after retirement only a small pension was provided. In the following years other associations followed and by 1910 there were already six of them. Although politicians and military authorities did question the existence of these associations at the time, they never questioned the right of association.

There was no official way of consulting with the government and all the associations could do, was request an audience with the Minister of Defence or speak with members of parliament. Yet, thanks to their consistency the associations did obtain better regulations on pensions, on medical care, etc., etc. It was only in 1931, when the Military Public Servants Act passed parliament, that a formal structure for consultation was established. In these days consultation meant that the Minister would only listen to the associations and take his decision afterwards. A situation, which was certainly not satisfying. Primarily because of the fact that the number of associations had grown to more than 10 which enabled the Minister to "divide and rule". But also because of the fact that there were different committees for officers and NCO's.

After World War II the situation improved. In the mid-1950's The Minister was forced to start two-way consultation with the associations. He was also forced to discuss any change in regulations with the associations. Although that sounded very good and it was indeed a big step forward, it quite often lead to the situation that there were long discussions, with the Minister deciding conform his own proposal at the end. In 1976 the two committees were joined in one deliberation-platform for all military personnel (CGOM). The deliberation-platform for all public servants (CGOA) was made the leading platform for negotiations and deliberations for primary terms of employment (salaries, pensions and social security) for all public servants. This deliberation-platform was manned by four Bureaus for Civil Servants. This way, the working conditions for approximately 800.000 public servants, including military personnel, were set. It is for that reason that the associations for military personnel sought connection with and finally joined one of these four Bureaus.

When Dutch parliament ratified the European Social Charter in 1980, it made an exemption on article 6, subpara 4, for all public servants. In that article the right of collective actions (including strikes) is laid down. Parliament ordered the Dutch Government to come up with an acceptable substitute for the right of collective actions. It took the Government until 1985 when finally the Advice- and Arbitration Committee (AAC) was installed. That made it possible for the associations to seek the advice of the AAC whenever the deliberations with the Government had not lead to an acceptable outcome. The associations used this possibility of seeking advice only a few times, mainly because seeking the advice of a third party shows the weakness of the two parties concerned.

On the other hand however, it also allowed for "threatening" Government with using the AAC. As AAC is operating publicly and would therefore expose the "bad" government, it quite often made Government give in to our wishes. Arbitration was only possible if the Government agreed to it and so far they have never done so. The main reason for that is that Government is subject to the parliament's right of budget.

Further refinement

In 1993 there was a feeling that the way in which the general terms of employment for all civil servants were discussed in the one deliberation-platform for all civil servants (CGOA) had become unsatisfactory, as it did not allow for specific terms of employment for specific kinds of civil servants such as police, military, teachers, etc. Therefore, the sole deliberation-platform for all civil servants was split up into eight different and equal deliberation-platforms including one for all Defence-personnel (conscripts, professional soldiers and civilians), called the SOD.

The subjects of deliberation are limited to labour and working conditions (including the right of negotiation on salaries etc., etc.) and the general lines of policy in relation to career-possibilities. Subjects such as the Defence budget, military equipment, military discipline, etc., etc., are out of bounds. Example: the restructuring and reduction of the Dutch armed forces as such was not a subject of deliberation. Yet, the consequences for military personnel were widely discussed and lead to a Social Charter drawn up in agreement by the associations and the Minister.

From this historical review it is evident that the associations for military personnel are fully accepted in the Netherlands. Not only accepted by the military leadership and politicians, but also embedded in society. Especially the developments over the past 20 years have greatly contributed to this embedding. On the other hand, one can clearly see that it took us a very long time (almost 100 years!) and sometimes hard times to reach the current situation.

The current situation

In our deliberation-platform (SOD) we confer with the Ministry on a monthly basis. At present the chairman of these meetings is the Assistant Secretary of Defense. Subjects of discussion are salaries, pensions, social security, allowances, the social consequences of reduction of the armed forces, working hours and compensation, and so on, and so forth, for all employees of the Ministry of Defence. Subjects that, for instance, apply to navy personnel only, are not discussed here but elsewhere. I will get to that later. Both the Ministry and the associations can submit proposals to the SOD.

You will understand that the subjects in the SOD are quite often very technical. It is for that reason that the SOD has 4 permanent work groups: one on personnel policy, one on regulations, one on financial matters and one on social security. These work groups are chaired by the director of Terms of Employment. In these work groups the technical details are worked out, resulting in a document for the SOD. Principal objections against such a document are then discussed in the SOD, where eventually an AAC-procedure may be started. Otherwise, such documents are accepted by the SOD and become "law" for all employees of the Ministry of Defense.

In addition to the SOD, there are special committees for each part of the armed forces and for the support organisations: one for the army (BCPKL), one for the navy (BCPKM), one for the air force (BCPKLu), one for the Marechaussee (BCPKMar), one for the Ministry (BCCO) and one for the Defence Interservice Organisation (BCDICO). These committees are formally chaired by the Chief of the part of the armed forces concerned, in case of the BCCO the committee is chaired by the substitute Secretary General of the Ministry and in case of DICO the committee is chaired by the director of that organisation, all on behalf of the Assistant Secretary of Defence. In practice however, all Chiefs have given a mandate to their Directors of Personnel. In these committees, the subjects are limited to that specific branch of the armed forces. For instance: in the SOD a basic regulation on working hours and compensation became "law". As a result of that each of the special committees adapts that regulation for use within the specific part of the armed forces. The specific part of the armed forces and the associations can both submit proposals to the committee concerned. Although the special committees formally do not have work groups, they quite often install them temporarily. The AAC-procedure is applicable to the special committees also, with the exemption of the mediation part of the key-stone of our negotiation-system.

The work spot

On the working spot, i.e. on every airbase, in each barrack or group of ships a system of participation has been realised by means of participation councils. One may compare it to the system of works councils, yet with limited powers because of the specific duties of the armed forces. The participation council is to be elected by and from all personnel employed on such an airbase, barracks, or group of ships. The associations for military personnel play an active role during these elections: they are allowed to submit voting lists (approximately 75% of the Dutch soldiers are a member of one of the associations). In addition, non-organised personnel may submit voting-lists provided they are supported by at least 30 signatures.

Once elected, the participation council will meet at regular intervals with the Commander to discuss all matters related to working- and/or living conditions. Basically, the council will discuss the way by which central regulations are to be interpreted and executed. On these matters the council has a right of agreement. If no agreement can be reached, then formally spoken there is a dispute and the matter may be brought forward to a special independent committee, who will give an advice to the Chief of Staff. Then the Chief of Staff makes a decision, which must be accepted by both the council and the Commander. In no way, the participation council may interfere in matters of operations, discipline, and so forth.

These participation councils fulfill a very important role, especially in relation to the tendency of decentralisation and deregulation. The aim is to make units responsible for their own results. They should no longer be dependant on centrally set pre-conditions, parameters, and so on. Local Commanders will get more authority and as a result of that local personnel should get more possibilities for consultation. As a further result of that, the associations for military personnel will loose their influence on the central level. It is therefore imperative that they regain/reinforce that influence on the local level. If they do not succeed in that effort, the associations for military personnel may be put off-side and equality of rights for personnel may be damaged very easily.