

Stanisław Rudolf

University of Łódź

OPPORTUNISM IN THE ACTIVITIES OF WORKERS' ORGANIZATIONS AND INSTITUTIONS

Summary: It is to new institutional economics that we owe the present interest in opportunism. By limiting opportunism, new institutional economics have found an important way to increase business performance. Opportunism should be understood as the pursuit of self-interest while resorting to deception, deceit, or lying, violating the interests of others. The study concerns the impact of labour organizations on generating transaction costs resulting from these organizations' opportunistic behaviour. Such organizations generate lower costs in developed countries, with mature institutions of industrial governance. Higher costs are generated in post-communist countries, where the opportunistic attitudes and behaviour of these organizations are much more distinctive. The attitudes of employee organizations have been affected also by employers and their organizations.

Key words: opportunism, new institutional economics, transaction costs, workers participation, labour unions.

1. Introduction

The growing interest in recent years in the phenomenon of opportunism in the economy has been due mainly to new institutional economics (NIE), which identifies in its restriction a major way of increasing the efficiency of economic operators. Unlike neoclassical economics, NIE views economic units just the way they are and recognizes the distinctiveness of their objectives, tendencies, and conceptions. It is also aware of their opportunistic attitudes or behaviours, especially evident in companies. It is necessary to take their tendency to opportunism into account, both in concluding contracts and in preparing company strategy.

The acceleration of the development of NIE occurred in the 1960s, after a crisis of some years, as a direct result of the Second World War. This development was influenced by the works of economists such as R. Coase, A. Alchian, and K. Arrow, whose theoretical achievements contributed to the opening of companies to scientific analysis. But it was only in the 1970s that the practical use of their works by O.E. Williamson, H. Demsetz, and D. North took place and the proper pace of its development was set [Rudolf 2010, pp. 9-11]. Nevertheless, a manifest acceleration has occurred only in recent years, the years of economic crisis. The rise

in the popularity of this economics was also influenced in 2009 by awarding the Nobel Prize for economics to O.E. Williamson and E. Ostrom, leading exponents of this trend [Peszek 2011].

It is necessary to recognize, as the main reason of the development of NIE, the growing difficulty of trying to explain increasingly numerous economic phenomena through neoclassical economics. It is not difficult to see that this economics, even if it has been realized over the most recent years of the evolution processes, did not reach the deepening complexity of the mechanisms of economic development and the unprecedented dynamics of changes that were happening in the economy. This concerns especially the recent decades, during which the acceleration of globalisation processes has taken place. These processes have produced in companies a growth in the dynamics of external conditioning, which has led to an increase in risks for economic activities and also to an increase in uncertainty.

In neoclassical economics, the postulate of rationality of the actions undertaken by the individual is assumed. Therefore, it is assumed that the individual behaves rationally and makes rational choices. Such actions are taken on the basis of exact information and sufficient knowledge. This means that both information and knowledge do not represent limitations in taking decisions. The only limitation that can occur is the availability of real and monetary resources. Also the complexity of the decisional process is not a problem there. For a long time there has been a growing criticism of this vision of rationality. This criticism has resulted in the development of some theories, such as the choice under conditions of risk theory and the rational expectations theory. New models of competition arose as well, taking account of incomplete information or information asymmetries. "Analyses of the asymmetry of information were used by new institutional economics to introduce assumptions about the opportunism of economic subjects, which involves the deceitful search for revenues through distortion of information, fraud, etc." [Klimczak 2005, p. 14].

We can also find a criticism of this so-understood rationality in new institutional economics. Due to the mentioned complexity of the decision-making process as well as the limited range of knowledge and information, it is possible to talk at most of limited rationality. We have to understand it in the following way: decision makers are able to determine the transaction costs that it is possible to bear in order to obtain necessary or additional information. Thus, NIE does not completely reject the assumption of rationality in action, but modifies it and brings it closer to existing realities. It assumes that individuals are led by self-interest, with limited regard to the public interest. It is accepted that such behaviours have a rational character, since they lead to the maximization of usefulness. This economics attaches great importance to legal and organizational conditions, as well as to the stability of routine actions. What is also important here is the means of the transmission of information, its quality, etc. Their reduction is a prerequisite for transaction costs theory, one of the pillars of NIE [Staniek 2005, p. 156].

This analysis aims to define the essence of opportunism and its place in new institutional economics. It also aims to identify opportunistic behaviours in the activity of workers' organizations, mainly trade unions. This analysis will concern both Western countries and the post-communist countries.

2. The role of opportunism in new institutional economics

Opportunism is a rather common feature of human nature and therefore should be taken into account in studies of economic organization. According to O.E. Williamson, opportunism has to be understood as a "shrewd tendency to the achievement of one's own interests [...] it refers to an incomplete and distorted disclosure of information, especially to the efforts consciously undertaken to deceive, distort, conceal, obscure or confuse the matter in various ways" [Williamson 1998, p. 60]. This is an exceptionally complex phenomenon, which has many facets to it. More often, it is possible to meet with delicate and subtle forms of deception, while rarely we meet with something like lying, stealing or cheating.

Opportunism should not be confused with the realization of one's own interest. This means that not every use of existing possibilities for its realization is opportunistic behaviour. We deal with opportunism only if the pursuit of the interests of oneself or one's group violates the interests of others, acting to their detriment, resorting to subterfuge, deceit, or lies. At the same time, it should be noted that opportunistic practices are not common. We find them more often in insurance contracts or in the management of public goods. The phenomenon of opportunism acquired a broader meaning only in the 70s. In former times, the stimulus to act was one's own profit rather than opportunism.

The establishment of a tendency to opportunistic behaviours implies that people do not comply with certain rules that are not quite trustworthy [Grudzewski *et al.* 2007]. For this reason, transactions susceptible to opportunism should also be appropriately assured before their conclusion. Experiences gained in such situations can be used in further transactions. Therefore, according to O.E. Williamson, opportunism is a source of uncertainty in business transactions. This uncertainty disappears only if individuals are characterized by openness and honesty in their efforts to achieve individual benefits. Such aims can be achieved also through a full subordination or obedience. The latter must be understood as giving up the pursuit of one's own interest [Williamson 1998, pp. 61-62].

Since opportunism is an immanent trait of human behaviour, it is necessary to proceed this way to eliminate or restrict its incidence. This is not an easy task because the tendency to opportunism is difficult to discern before entering into transactions. For this reason, not only attempts to control *ex ante* are taken, but also attempts to create an *ex post* assurance. Without such safeguards, opportunistically oriented persons will profit by those faithful to the rules.

Opportunism should be taken into account in preparing the strategy of a company. In this kind of strategies the opportunistic behaviours of parties with whom the firm cooperates should be considered. This includes, among other things, a wide understanding of customers' behaviours, their demands and expectations, as well as the behaviours of suppliers, public authority offices, government bodies, etc. This means that it is in the interest of the company to take into account, in its strategies, their opportunistic behaviours, which are so far from rationality. This will produce the weakening of the effects associated with opportunism.

At the present time, we can notice closer relations between rationality and opportunism. In their definitions, NIE uses the economic man model of M.C. Jensen and W.H. Meckling, which tries to connect rationality with opportunism [Jensen, Meckling 1994]. In this model, this "economic man" makes the choice of the objective, taking into account existing limits. These restrictions may concern his or her own knowledge or the opportunity to acquire information. This model allows for the possibility of opportunistic behaviours if they lead to the achievement of the goals previously defined. Such behaviours are also legitimate in the case a person, with his creativity and adaptability, can better adapt himself to the existing situation.

Opportunism and limited rationality have an important place in transaction costs theory. Opportunism, according to O.E. Williamson, is eliminated or restricted by means of organizational structure (hierarchy). The author attaches great importance to opportunism, as a category that explains or legitimates the existence of a company.¹ Human behaviours, characterized by opportunism and bounded rationality, condition the incidence of transaction costs, which should be restricted or minimized.

There are many indications that the theory of transaction costs has a significant impact on both the way of thinking of employees and their trade unions, and the way of thinking of employers.² Under its influence, labour relations have evolved. Conflictual relations³ previously existing have been gradually replaced by cooperative relations. There is no doubt that conflictual relations have generated significantly higher transaction costs than the relations marked by cooperation. In further considerations, an attempt of analysis of the activities of employee organizations will be set out in the new institutional economics perspective. We will try to show to what extent this activity has an opportunistic character and also indicate the possibility of limiting this opportunism, which could lead to a result of reduction of transaction costs.

¹ These opinions of O.E. Williamson provoked authors to discuss the possibilities for the operation of the company without the incidence of opportunism [Love 2005, p. 381-397; Love 2010, pp. 479-501]

² Broader reflections on the essence of the theory of transaction costs can be found at: Klimczak [2006], Rudolf [2009a, pp. 48-52], Gorynia [1999].

³ An example of these relations may be the United States in the 1930s, with their great number of workers' strikes and protests. A decidedly antagonistic attitude of trade unions towards employers meant that employers began to create fictitious trade unions to defend themselves against trade unions [Pivec, Robbins 1996].

3. Opportunism of institutions of employee participation

The characteristic of trade unions or other employee organizations is their varied nature. These differ because of the size, the range of action or the structure of management. Besides, their positions vary in each country. They also have a different degree of involvement in the economic, social, or political problems.

Trade unions, despite their progressive transformations that occurred after World War II, are widely perceived as monopolistic organizations, and thus those that occupy monopolistic positions and whose activity are characterized by monopolistic attitudes.⁴ An explanation of this way of perceiving them has to be sought in their genesis, or more precisely, explaining whose interest lies in the creation of such organizations. The appeal of trade unions lies undoubtedly in the interests of those who recruit and thus in the interests of individual employees and groups that take this initiative. Both people and groups usually need real support in negotiations with employers in order to achieve their own interests and individual or collective purposes. The influence of this kind of worker behaviour on the realization of the socio-economic system interest is a more complex question. This behaviour, as we will see later, may have an opportunistic nature and imply specific costs.

The increased interest in trade unions or other employee organizations took place in the 1960s, in relation to changes in concept of the business. In orthodox economics, the company remained out of range of research and was considered only in its function of production. The increasing popularity of NIE made the company begin to be seen as a management structure. Just the growing importance of the management question started the process of change in the way of thinking about problems of the company and the opening of the companies to research. Transaction costs theory had a special role there, providing tools to analyse these costs. Under the influence of this theory, the approach to business organizations has changed, including workers' organizations. These organizations began their analyses in the perspective of saving transaction costs, which had an effect on the form of these organizations.

The biggest change in this ambit occurred in the 1970s, when this determination strengthened the position of employees and their organizations in the companies. This is reflected in the development of different forms of employee participation, in many countries taking an obligatory character. The extension of participation was truly fulfilled more in the name of social peace than to improve the efficiency of the companies, but at least some researchers believe that it is possible to ascertain the

⁴ A model of the monopoly of trade unions was created in the 1940s and 1950s by J. Dunlop and W. Leontief and, despite the passage of years, still has a lot of interest. At present times, is more diffuse the efficient bargains model of I. McDonald and R. Solow, based on joint negotiations of wage and employment level with employers. Today, there are also models (e.g., Scandinavian model of T.S. Aidt, V. Sen), showing the positive role of trade unions in increasing company profits under certain conditions [Gardawski 2009, pp. 448- 450].

influence of social peace on company effectiveness. The impact of this influence is indirect and hard to determine, and its results are often visible only in the long term.

Analyses concerning the impact of employees participation on business effectiveness have been conducted for decades. They do not give a definite answer to the question whether the development of a widely conscious participation can be justified in economic terms, and whether worker participation leads to improved efficiency. This has been shown by, among other studies, an analysis of the results of empirical research carried out on this issue by W.E. Gallagher and H.J. Einhorn in the 70s [Gallagher, Einhorn 1976, pp. 367-373]. D. Gunzberg has come to similar conclusions carrying out research on this issue in Sweden [Gunzberg 1978, pp. 45-47], therefore in the nation where this participation is comparatively large. Among researchers, however, the conviction prevails that such effects occur, while the ambiguity of research may result from their inappropriate methodology. At the same time, there is full consent as to the positive social outcomes of participation.

This research has mainly focused on demonstrating the motivational functions of employee participation. So they try to demonstrate that the various forms of this participation lead to the integration of employees with the company, encouraging them to work better and more intensively, and participate in solving emerging problems, etc. Direct forms of participation generally play a bigger role in this scenario or, at least, this role is easier to define in empirical research. More debatable is the role of indirect forms of participation (apart from trade unions, it is possible here to mention works committees, employees representatives in the supervisory authorities, etc.), whose influence has indirect effects on economic performance so that its positive role is harder to prove. It was found, at the same time, that the development of direct forms of participation is largely conditioned by the development of indirect forms, suggesting an overall impact analysis of these forms on the economic performance of the company [Rudolf 2007, pp. 161-164].

The interest of NIE in the problem of the workings of employee organizations has grown out of, as has already been mentioned, the transaction costs generated, and thus from the possibility of exerting influence on the level of these costs. So we will assume in the course that the trade unions, with regard to the model of their activity,⁵ should produce reductions in these costs. We recall now the division of these costs made previously to *ex ante* and *ex post* costs. The first kind of costs, analysed in the context of workers' organizations, can include the costs of transmission of the information, the costs of negotiation, the costs of transactions to be concluded, the costs of education and training for employees, etc. These costs can have a significant impact on reducing the costs of transactions concluded and on their results, i.e., the height of the *ex post* costs. The latter may arise from the weak preparation of

⁵ Wider considerations on trade union behaviours models can be found, among others, in Bosworth, Dawkins, Stromback [1996], Elliott [1990].

contracts, from conflicts, which in this context may appear, from workers' protests and strikes. Often, it is worthwhile to bear higher *ex ante* costs, to significantly reduce the *ex post* costs. It follows that by saving on *ex ante* costs may result in an overall increase in transaction costs [Bednarski 2010, pp. 247-250].

In further considerations we will not focus on the motivational functions of employees participation, but on the impact of employees organizations, as institutions which generate transaction costs. The efficiency and competitiveness of the company depends on their extent. This impact is a derivative of attitudes and behaviours of these organizations and can lead both to improve the efficiency and competitiveness of the company or to their deterioration [Sullivan 1986, pp. 17-24]. The latter is related to the escalation of opportunistic attitudes and behaviours of employees organizations.

It is possible to indicate many reasons for such attitudes taking place. These include, among others: limited experience (e.g., working in a market economy), the pursuit of the interests of trade union leaders, the low level of education of trade unionists, their political involvement, unhealthy competition between unions, wage increase claims which harm the company's economic situation, etc. The existing industrial relations system also has an influence on these attitudes, as do relations between the organization representing employees and employers. The existing level of trust between them is largely determined by the extent of transaction costs. A low level of such confidence may have an influence on the delay of negotiations, the details of settled agreements, etc. In further considerations, we will show examples of opportunistic behaviours of workers' organizations in developed countries and in post-communist countries.

4. Opportunism of workers' organizations in developed countries

Workers' organizations in developed countries possess a fund of experience of many decades. In these countries no one doubts the need for the functioning of these organizations. In particular, there is the credible opinion of employers, who on the one hand criticize certain attitudes or behaviours of unions, but at the same time can not imagine the possibility of functioning of companies without trade unions. Relationships, in fact, represent an important channel of articulation of employee opinions and point out the onset of problems or the dissatisfaction of employees. This allows action to be taken for their solution before they reach the level of threat of, for example, a strike or other type of protest.

As an example of opportunistic behaviour of workers' organizations, we can mention opportunistic negotiations, which are a serious problem in many countries. Such negotiations not only absorb the resources of the organization, but also are a cause for delays in finding efficient solutions or a cause of their lack. One example could be negotiations on collective agreements, conducted in the past between trade unions and employers in the US. They usually took up many months and were very

expensive, since they absorbed several million dollars. The costs associated with that were borne both by trade unions and employers.

A fundamental change in this situation was made in the US in the 1970s, when the conflictual model was largely replaced with a cooperative model. In that case, the Japan threat played a prominent role, influencing the way of thinking of both employers and trade unions. Owing to that, both the social parties were more willing to cooperate in order to save the company against its buyout by the Japanese. The result of these changes was a drastic decrease in the amount of strikes. Also changed was the way of conducting negotiations and, at the present time, they are most commonly conducted by an interest method. It generally consists in a common searching by the social parties for the best solution for both parties. The subject of negotiations is treated there as a problem to solve in common. The wide use of this method should be regarded as a spectacular result of transactional costs lowering and of opportunism reducing.⁶

We can also indicate other areas where the institutionalisation of relations between employers and employees leads to a reduction of transaction costs. As an example, we can mention the area of wage determination in the company, important for opportunistic attitudes. In developed countries, where relationships between employers and employees are stable (called industrial relations order), the growth rate of wages is a subject of negotiations within the framework of collective agreements. Trade unions are to watch over the determinations adopted in this field, using their hierarchical structure and employers.

Additionally, there are also wage committees, appointed by the supervisory boards, which deal with the issue of wages [Urbanek 2010, pp. 83-96], in whose composition we can generally find a representative of the employees of the company, usually associated with trade unions. As a result, instead of opportunistic actions, such as strikes and protests, institutional solutions largely based on mutual trust between the parties are created. This leads in effect to a reduction in transaction costs. We might add that the effectiveness of such negotiations is largely influenced by the attitude of employers (who satisfy the general wage demands of workers for fear of strikes) that destabilizes the existing balance, preventing commitments made to customers from being fulfilled, etc. Wage increases weigh on production costs and, therefore, on price determination.

The opportunistic attitudes of workers' organizations can influence the extent and reliability of information transmitted by employers. On the one hand, employers should depend on the transfer by these organizations of a broad range of information, because they can lead to a reduction in tension and to the simplification

⁶ Attempts to extend this method to Polish conditions have been taken by the author at the beginning of the 1990s. These attempts were undertaken by the US embassy in Warsaw, organizing many courses and trainings, especially for NSZZ Solidarność trade union members. However, they did not bring the expected results, so that this method is practically not used in Poland.

of negotiations of work organization, social security or wages. The reduction of the asymmetry of information, carried out in this way, can lead to a reduction in transaction costs. Employers may limit the extent of the information given, if there is a fear of opportunistic behaviours of these organizations. They can weaken or ignore employee organizations, may seek short-term benefits for employees, etc.

The quality of human resources may also have an influence on the opportunistic attitudes of both workers' organizations and employers, and thus whether we are dealing with specialized resources or resources with a low degree of qualification [Rudolf 2009b, pp. 327-338]. In the first case, it is typical for both mentioned parties to avoid opportunistic attitudes because they are interested in keeping to negotiated contracts due to the costs related to their breach. For the employer, these are the costs of seeking and hiring an employee with unique qualifications as well as those of training workers just employed. For the employee, this is the cost of changing his or her qualifications since his or her past, specific qualifications may be applied only in the current workplace. An opportunistic attitude, on the part of both parties, may be related to poor specialized resources.

There are many indications that in the near future system solutions will be enforced aimed at reducing cost negotiations, rationalizing wages, etc., and so a solution resulting in a reduction of opportunistic behaviour. The condition for the occurrence of this trend is to raise awareness of the need for this kind of behaviour by both social parties. More and more often we can observe this awareness in employers, who are starting to realize that both they and employees "are in the same boat". This means that in the case of the bankruptcy of the company both parties would lose their jobs. Antagonistic attitudes are replaced by an attitude of cooperation and the pursuit of common solutions.

5. Opportunistic attitudes of workers' organizations in post-communist countries

The experience of workers' organizations in post-communist countries, compared with developed countries, is more than modest. It is necessary to say this to explain, among other things, their opportunistic attitudes as well as the transaction costs related to them. Let us begin by considering wage claims, which are the most common symptom of opportunistic behaviours of these organizations in post-communist countries. A wave of strikes and protests, inspired by trade unions, went through all these countries in the initial period of transition. They mainly demanded wage increases although many other claims by strikes have also been reported, such as strengthening the position of trade unions, extending the sphere of their rights in the company, etc. With hindsight, it can be stated that these strikes were mainly aimed at strengthening the position of trade unions and safeguard their monopoly on the representation of employees.

But the effectiveness of such protests in the early period of transition was not too great. In Poland, for example, attempts to exert influence on governmental authorities and increase wages through negotiations, reported demands, passed resolutions, as well as strike alerts, strikes or collective disputes have produced very limited results. The government effectively opposed the accelerated increase in wages in the public sector, did not accept a refund of arrears of wage revaluation in this area for 1991-1992, forced, against the position of trade unions, the passage of a law concerning the development of funds for salaries, maintained minimum wages at a relatively low level, etc. The situation changed after 1995, that is, after the passage of the law on collective agreements and of the law on determination by negotiation of increases in wages. These laws have produced some improvement in activity and effectiveness of unions, both in public and private companies [Czajka 1998, pp. 7-70].

The opportunism of union activists, however, showed itself more menacing, especially noticeable in their attempts to maintain a position of monopolistic organizations. They were afraid of the competition of other organizations, institutions, or bodies which may take on some of their privileges related to the representation of employees. Finally, they did not support, or were reluctant to develop, different forms of employee participation, widely used in Western countries for fear of losing their control. Because of such attitudes, Polish trade unions have paid a high price, since the actual level of unionisation dropped to around 11% [Czarzasty, Kulpa-Ogrodowska (eds.) 2006, p. 109]. A similar degree of employee organization in unions developed in some countries like Estonia, Lithuania, and Hungary.

Because of the generally low degree of organization of workers in unions, only a portion of employees is subject to collective work agreements. In these countries, these agreements practically do not occur at the central level (although legislation allows this in Slovenia, Estonia, and Lithuania). Quite rarely can we meet them at the sectoral level, where most often they concern only some sectors. Their widest range is found in Slovenia and Slovakia, where they include 40-50% of employees. In the latter country, they have, however, a more formal nature, since they do not deal with wages. In this situation, the main bargaining level is at factory level – a fact which determines their large fragmentation and differentiation. Their range of action is relatively modest and is similar to the degree of organization of workers in trade unions. In countries such as Lithuania, Estonia, and Latvia, these agreements involve 15-20% of employees. Only a slightly wider range is noticeable in the Czech Republic, Hungary, and Poland. At the same time, a tendency to restrict the range of action of these agreements is manifesting itself, and this is a derivative of the decreasing number of companies with trade unions [*Industrial Relations...* 2008].

An example of the opportunistic behaviour of workers' organizations may be their attitude towards the participation of the representatives of employees in the supervisory boards of companies. In Western countries, this participation, although varied, is part of the standard participatory solutions in the companies and is supported by trade unions. Elected workers' representatives are there for general employees

and thus possess no formal links with trade unions. Due to the strong positions of trade unions, however, their members usually accede to the board, jeopardizing the close cooperation between them [Wratny 2010, pp. 371-375].

In post-communist countries, trade unions are generally hostile to these representations. They rarely take action for their introduction, on the basis of obligatory rules, e.g., of the Commercial Code. The author's research conducted into Polish companies shows that in companies where such representatives operate on a voluntary basis, rarely do they keep in contact with unions [Rudolf 1996]. Their attitude restricts the range of participation of employees, clashing with their interests. We can find this kind of representation only in four countries, that is, in the Czech Republic, Hungary, Slovakia, and Slovenia. It does not occur in Poland and there is no indication of its introduction. Therefore, we only have to wait for the EU Directive on this issue [Rudolf 2008, pp. 393-408].

Another example of the opportunistic attitudes of trade unions can be found in the way works committees are formed. These committees, or similar ones, exist in all the countries of Western Europe. It was expected that they would have found a place also in post-communist countries. Because of the critical attitude toward them that employee organizations have, they have been established in only half of these countries. Additionally, their position was generally weak because often they were dominated by trade unions. The strongest position was held in Slovenia, the weakest in the Czech Republic, Lithuania, and Hungary. The critical attitude of trade unions meant that it was not possible to establish these committees in Poland, although at the beginning of the 90s of the 20th century, a draft bill on these committees was widely debated. Only the EU Directive of 2005 introduced the obligation to create such committees. The opportunistic behaviours of trade unions were not able to block their introduction, but they caused the law, passed in 2006, to produce the weakest committees in the EU [Rudolf 2007, pp. 173175].

This adopted high size threshold, a minimum of 50 employees at which companies are obliged to create such committees, seriously narrows the range of their operation. This law made the committee a branch of the unions, wherever they functioned, since trade unions have had the right to choose members of these committees. Members could be chosen by the whole body of employees only in companies where there was no trade union organization. A curious clause could be found in this law, ordering the dissolution of a committee chosen by the whole body of employees after the creation of a trade union in the company. To that we also have to add the low numerical composition of the committee (3-7 members). The law was addressed to the Constitutional Court, which, in a decree of 2008, ordered its emendation. Amended in 2009, the law provides for general elections of the committee, regardless of the existence in the company of trade unions. In this way, the committee ceased to be a branch of union, and this has been received as an attack on union rights.

In conclusion, we have to note that this transition period produced changes in trade union consciousness, which contributed to the weakening of opportunistic behaviours. This is particularly evident in the case of wages, where it was realized that opportunities of wage growth are subject to reductions in costs or an increase in productivity. Research conducted among union activists in Poland, the Czech Republic, and Slovakia clearly indicates the benefits for unions that result from membership in the EU. Up to 86% of respondents considered this membership to be very beneficial for the unions. What was particularly profitable for trade unions, as it was revealed, was education, seminars and training offered by the EU (25%), the information provided (25%), and international contacts (24%). To a lesser extent, the importance of financial assistance for unions was emphasized (15%) [Pleines 2008, pp. 20-21].

6. Summing-up

The analysis carried out in the previous sections shows clearly the possible incidence of opportunistic attitudes and behaviour of both trade unions and other workers' organizations. At the same time, this means that these behaviours can significantly influence the height of transaction costs, and thus affect the efficiency of the company and its competitiveness. Therefore, it is in the company interest to pursue policies which should lead to a restriction of such behaviours, and thus to the reduction of those costs. This is not an easy matter, since actions taken in this sphere can operate at several levels. First of all, they should take place at company level, but also at national (or sectorial) level, as well as at international level.

A major influence on the opportunistic behaviours of employee organizations may be exerted by individual employers. Their attitudes or their decisions can induce trade unions to assume these behaviours. It happens, for example, that employers hide information about the soundness of the company, in order to prevent, in this way, wage increase claims. This may increase in future wage claims far beyond the resources of the company. Employers can also hide information about the bad condition of the company to prevent mass resignations of employees or prevent a reduction in productivity as a result of the lack of prospects for them in the company. It is difficult to hide such information in the long term, and their disclosure can have very expensive results for the company [Bednarski 2010, p. 247].

The opportunistic behaviours of employers can also be a reaction to the opportunistic behaviours of trade unions and, even more often, to the fear of such behaviours. Employers usually react to that in two ways. Some of them undertake attempts to eliminate trade unions from the factory or prevent their establishment, rarely try to talk to them to educate, negotiate, look for compromise solutions, etc. The first solution is generally the easiest but at the same time raises many other problems (lack of channels where opinions may be articulated, early warning systems, etc.), which can lead to serious tensions and even to strikes. The second solution is much

more difficult and requires a longer period of time, but it can bring beneficial results for both parties.

An important role in reducing opportunistic behaviours of both the social parties can be performed by negotiation at sectoral or national level or at both of them. The first of these levels is less institutionalised, and negotiations usually are limited to the frequency of wage increases in the given sector, they are irregular and not always binding. A different situation appears at international level, where we most often meet the so-called Trilateral Commission (or similar bodies), consisting of the representatives of trade unions, employer organizations, and government. In some countries there are even more bodies of this kind, but one of them has the most important role. Their position in each country is different, as it is much stronger in developed countries than in post-communist countries. Typically, they negotiate the minimum wage, anticipating a decision by the government. They may also issue opinions on draft laws relating to employee matters, formulate guidelines for the conclusion of collective agreements, etc. It is difficult to overestimate the role of such bodies in reducing the opportunistic behaviours of both social parties, without forgetting that it largely depends on their position in each country.

These considerations lead to the conclusion that both the interests of workers' organizations and employers and their organizations are the basis for protection against opportunism. Such protection, however, carries with it certain costs, not always of a material nature. Usually, it is well worth bearing them because the costs related to the restriction of opportunistic behaviours are usually much higher than the consequences of such behaviours. A balance of benefits and costs is generally positive in this situation.

It is at the same time worth noting that trade unions have become political institutions. In a formal way, they represent the interests of their members, lead a fixed policy on their behalf, create channels where opinions are articulated, etc. Actually, however, they are not limited to representing the interests of members but have become an exponent of the interests of people with low incomes, mistreated and injured people, etc. This means that the trade union position can be measured not only by the numbers of their members. This position is usually much stronger than that which results from union membership and determines its possibilities. So it happens, *inter alia*, that the problems with which unions have to deal with have a general character and are important for the political processes concerning, for example, health protection or social security, as well as in other ambits.

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OPORTUNIZM W DZIAŁANIACH ORGANIZACJI I INSTYTUCJI PRACOWNICZYCH

Streszczenie: Zainteresowanie oportunistycznym zawdzięczamy w znacznej mierze nowej ekonomii instytucjonalnej, która z jego ograniczenia uczyniła ważny sposób podnoszenia efektywności przedsiębiorstwa. Należy go rozumieć jako dążenie do realizacji własnego interesu przy użyciu podstępstwa, oszustwa bądź kłamstwa, w sytuacji, kiedy naruszany jest interes innych. Opracowanie dotyczy wpływu organizacji pracowniczych na generowanie kosztów transakcyjnych, które stanowią pochodną ich postaw oportunistycznych. Organizacje takie generują niższe koszty w krajach wysoko rozwiniętych, gdzie działają dojrzałe instytucje ładu przemysłowego. Wyższe koszty generują w krajach postkomunistycznych, gdzie ich postawy czy zachowania oportunistyczne są zdecydowanie bardziej wyraziste. Pewien wpływ na takie postawy organizacji pracowniczych wywierają również pracodawcy oraz ich organizacje.

Słowa kluczowe: oportunizm, nowa ekonomia instytucjonalna, koszty transakcyjne, partycypacja pracownicza, związki zawodowe.