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Abstract: 400 signs

Facing the economic crisis, Greek labour law has been marked by several changes. If the first steps consisted of a strengthening of the protective rules, the measures taken subsequently are moving towards deregulation and appear to alter its nature. The amendments made to the collective labour law are particularly important, so that one can speak of a deconstruction of the collective labour relations.

Key words: Greece, Crisis, Principle of favour, Collective agreement

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The Greek labour law face to the crisis: A dangerous passage towards a new juridical nature.

Introduction

Faced with the economic crisis and the joint pressure of the IMF and the European Union, the Greek legislative and social landscape was particularly marked, especially by the many changes to both labour and social security law. Certainly, labour law – a subject particularly sensitive to the economic evolution - could not remain "untouched" in relation to the recent changes brought about by the crisis. However, if the first measures adopted consisted essentially of strengthening protective rules in favor of the most vulnerable workers, particularly affected by the crisis, the conclusion that one attempted to reach so far, is far from ambiguous. Indeed, the perspective and purpose of legislative interventions quickly took a different turn and they invariably tend only to lower the cost of labor and to increase labor flexibility. Therefore, it is also characteristic to note that these first measures, taken before the full onset of the crisis and whose purpose was to protect workers from the harmful effects, were "national" measures, that is to say they were decided by the Greek government on the basis of a report by experts. Then, during the period that the crisis fully evolved, decisions adopted seem been dictated by "extra-national" institutions without prior negotiation with the Greek social partners. These decisions, taken outside the national framework, are imposed on national institutions, Government and Parliament, bringing the eminent Professor Koukiadis in a position to refer to a "labour law of an occupied country."

We shall hereafter clarify that the changes referred to, are not simple and "regular" transformations of labour law trying to tackle the economic crisis, taking into account that they appear change in its foundation and nature. They aim primarily at sending a strong message specifying a final overthrow to the standards of labor law. This is a triumph of neoliberalism and of the economic over the social conception.

As a first step, we analyze the transformations experienced by the Greek individual labor law (I). Secondly, we will deal with the transformations on collective labor relations (II).

I. Regulation of individual relations: a field in search of perspective

As previously stated, the first steps taken before the full onset of the crisis were consistent with the protective function of labour law. However, the perspective thereafter changes completely. After reviewing the first set of transformations of Greek labor law, concerning particularly the most vulnerable workers (A), we analyze, briefly, the changes implemented in recent years concerning the reduction of labor cost and the redundancies (B). Finally, it is in the public sector that the changes seem to be the most negative, due to the will to reduce public expenses (C).

A-The period of innocence: the initial measures protective for employees

Protection of the most vulnerable workers constitutes the spirit of the first steps triggered by the crisis. The latter concerns, first of all, the "false self-employed" persons that can now benefit from a presumption of a subordinate employment relationship (1). These measures are addressed to precarious workers, in favor of whom some measures have been adopted, whether it concerns temporary employment (2) or partial unemployment (3). Finally, older and younger workers are particularly targeted (4), of whom are those experiencing the highest unemployment rates. The protective function of the Greek social framework is at the center of the national legislature and this is why we qualify this first phase as the period of "innocence" of labor law.

1. The presumption of subordinate employment relationship

The development of new forms of employment organization and the emergence of self-employment have led the legislature to change the rules on the legal nature of the employment contract. While the criterion of dependence remains unchanged; the issuing of directions and the control of employees' activity reveal the subordination and imply the application of labor law. However, in order not to leave the field open to false independence and provide more effective protection

to the party who is in a situation of real dependence, the rules of evidence have been modified. According to the previous system (Law 2639/1998), there was a presumption of self-employment if a written contract was entered to and the competent authority was notified. The new law, 3846/2010 abolished the above presumption and introduces the opposite one, this is to say the presumption of a dependent employment relationship. Now, in the event the work is provided personally only, or in principal, for the same employer during nine consecutive months, the employment relationship is presumed to be subordinate. In this way, economic dependency seems now to obtain indirectly an important role concerning the application of labor law. However, the employer always has the opportunity to prove that the worker is not subject to his instructions, that is to say that he operates independently.

2. Temporary agency employment

The provisions of law 3846/2010 also modify the rules governing temporary agency employment. This atypical form of work has been recognized in Greece for the first time in 2001 by Law 2956/2001. The employer could, pursuant to these above provisions, at any time, recourse to temporary employment. This option should not be justified by specific reasons linked to the work organization. Currently, the new law (3846/2010) limits the use of temporary labor to specific cases within the functional activity of the enterprise. Such a recourse is only allowed for reasons justified by "exceptional, temporary or seasonal needs of the establishment". The role of agency temporary work has therefore been changed; significantly restricted, its ability to compete with the typical work is greatly diminished.

In addition, the new legislative measures extend the principle of equal treatment of employees in the event of temporary employment. Equality is no longer limited, as previously, concerning the application of the wage clauses of collective agreements. It is extended to any form of compensation. It must now be the same that would apply if the temporary workers had been recruited directly by the employer for the same position or the same function. In addition, equal treatment includes all forms of benefits. Thus, it is now expected that temporary workers

should have access to facilities and amenities available within the company (especially canteens, childcare facilities and transport services) under the same conditions as the employees hired directly by the company, unless the difference of treatment is justified by objective reasons. In this way, Greece fulfills the obligations arising from Directive 2008/104/EC.

Also, the new regulations provide two new bans for the use of temporary employment. Firstly, such an action is prohibited when the company has proceeded to economic dismissals of workers of the same qualification during the previous 6 months or to collective dismissals during the previous 12 months. The recourse to temporary agency employment is also prohibited for the execution of hazardous tasks for the health and safety of workers and in the category of work in the construction sector.

However, a more recent regulation (Law 3899/2010) addressed the modification of the rules governing the duration of the assignment. Whereas previously - in accordance with earlier regulation - the duration of the assignment at a user undertaking could not exceed 18 months, the new Law provides that the duration of the assignment, including renewals, may extend to 36 months. Such an increase, aiming to constitute the use of this form of precarious work more flexible, seems to be in contradiction with the previous measures adopted a few months ago (Law 3846/2010), aiming to limit the use temporary workers only in the event of "exceptional, temporary or seasonal" needs, having therefore, in principle, a much more limited duration.

Finally, law 4052/2012 makes the rules on temporary employment more flexible. The placement of workers for profit can now be realized not only by companies having the form of “societés anonyms” (as the previous law provided) but also by other types of companies and especially by individuals. However, it is important to underline that these new provisions provide that temporary agency workers count for the purposes of calculating the threshold above which bodies representing workers provided for by national law are to be formed both in the user undertaking and in the temporary work agency.

3. The temporary layoff of employees

In the event of shortage of business activity , Greek legislation provides, since long ago, that the employer may layoff all or part of its staff for up to three months per year. During the layoff the employer may pay half of the monthly salary. However, such an important employer's decision was not accompanied by any trade union consultation, a situation that was the subject of frequent criticism by legal scholars. The new law 3846/2010, attempting to fill this gap, now provides that the layoff of workers must be preceded by a consultation with union representatives.

4. A protection targeting the age of the workers

To begin with, older workers are a group of the most vulnerable workers in times of economic crisis. They are often, despite their professional experience, the first to be dismissed and then they eventually have the greatest difficulties to secure a new employment. This is the reason why the legislature (Law 3863/2010) provided in their favor two measures to protect their jobs and to make their dismissal more difficult. Firstly, the number of employees over 55 years of age shall not exceed 10% of the total number of workers dismissed for economic reasons. Otherwise, dismissal may be qualified as unlawful. Secondly, in case of dismissal of employees who are more than 55 years of age, the employer must bear, for a certain period (up to 3 years), a significant proportion (ranging from 50 to 80%, depending on the age of the employee) the cost of social insurance of an employee who remains unemployed.

Young people constitute the other portion of the workers most affected by the current crisis. The statistics highlight their unemployment rate as particularly high. The particularity of new measures consist of "subsidy" of their hiring, not by way of exemption from employer contributions, but by reducing their wages. It is regulated (Law 3986/2010) that the net wages of employees younger than 25 years of age and recruited for the first time, will be 20% lower compared to the level of the minimum wage set by collective agreements. In this way, the cost of labor is significantly reduced for employers.

However, these first "national" steps referred to as protective, adopted at the beginning of the crisis, have been replaced by interventions of other type imposed

without prior negotiation with the Greek social partners. This second wave of measures adopted to cope with the economic crisis devastating the national economy, has literally transformed Greek labour law to the extent that they have changed its fundaments and its nature. This definitive reversal of the standards of labour law constitutes essentially a progressive flexibilization of the Greek labor market.

B – The "rampant" flexibilization of the Greek individual labour law.

As the crisis become deeper, the protective function of labour law seems to be more and more forgotten. The emphasis is on both the reduction of labor cost and the flexibility in the use of the labor force. In terms of labor cost, the measures taken by the legislature mainly concern the minimum wage (1), overtime (2), the part-time work and the possibility of extending the duration of "partial unemployment" of employees in order to reduce the cost to the employer (3). Finally, the amendments adopted on dismissals are intended both to reduce their cost and to raise the thresholds of collective redundancies (4).

1 - Mandatory reduction of the minimum wage

The "troika" has long insisted on the need to reduce wages, a measure believed to be necessary in order to improve the competitiveness of the Greek economy. Even if the government has not attempted to impose a generalized reduction in wages, however, it has proceeded to the reduction of the national minimum wage. Indeed, in Greece, the minimum wage is set by the national general collective agreement concluded by the most representative professional organizations. Law 4046/2012, following the instructions of the "Troika", provides that the minimum wage commencing, from February 14, 2012, reduced by 22%. In addition, in the case of young workers, the reduction is even more important, since it amounts to 32%.

Yet, this legislation raises issues concerning its compliance with the Constitution, which guarantees the autonomy of collective bargaining against legislative interventions. Of course, if in the past (especially during the 1980s) it is possible to find other examples of such legislative intervention, they related only to the prohibition of wage increases, taking care not to impose their reduction. Moreover,

doesn't such a reduction in the minimum wage for young workers constitute a discrimination against them (this decrease is proving much more consistent compared to other employees)?

2 - The cost of overtime

The level of compensation of overtime is a factor of internal flexibility of the labor force. The higher the cost, the lower the labor force is flexible and, conversely, the lower the cost, the more the employer has a workforce adapted to fluctuations in demand. The Greek legislature (Law 3863/2010) reduced, in a general way, the increases provided in the event the employer decides the use of overtime.

The hourly rate is now increased by 20% instead of 25% for the first five hours per week (from the 40^{th} to the 45^{th} hour). Beyond 45 hours per week, the increase of the hourly rate for overtime falls from 50% to 40% for the first 120 hours per year and from 75% to 60% for a greater number of overtime work per year. Finally, for the so-called illegal overtime (overtime for which the formalities required have not been satisfied) the increase changes from 100% to 80%. Thus, an employers' demand to a more flexible and less expensive labor is therefore satisfied.

3 - Part-time work and "partial unemployment"

"Partial unemployment" is a measure permitting a company, in order to cope with the crisis - to alternatively employ employees for a number of days less than originally planned in their employment contract. It is also an adverse action for the employees, as they receive, during that period, only a part of their contractual salary, that is to say the equivalent for the decreased working time. Pursuant to Article 38 of Law 1892/1990, "partial unemployment" of the employees could be imposed unilaterally by the employer if the economic activity of the undertaking is reduced. This measure could not exceed, under previous legislation, 6 months per year. The new law 3899/2010 increases the maximum duration, which can now be extended for 9 months per calendar year, which creates this measure a rather extreme one.

4 - The legal regime of dismissal

The rules relating to dismissal also constitute an important external flexibility factor of the labor force. Despite the fact that, in the case of a contract of indefinite duration, the lawfulness of the dismissal does not depend on the existence of a cause, the Greek labour law is often accused of inflexibility. Such a judgment arises, on the one hand, from the relatively high level of severance pay compared to other European countries and, on the other hand, from the rigidity of the legal regime of collective redundancies. Indeed, this regime is poorly used as the consent of the unions or the public authorities are, in any event, necessary to proceed to such a dismissal (only their consultation is not sufficient). Employers regularly demanded in the past the flexibilization of the collective redundancy procedure. They claimed that the companies were obliged, due to the crisis and to the need to be more competitive, to reduce their personnel, an objective estimated difficult to achieve because of the high - direct or indirect - cost of dismissals.

Rules related to severance pay (a) and their beneficiaries (b) have therefore been amended by laws 3863/2010 and 4024/2011 and the threshold beyond which dismissals are considered to be collective was increased (d). In addition, a recent legislation, the law 4046/2012 repealed any obligation imposed on the employer to justify the dismissal (c).

a - The severance pay.

The legality of the dismissal of a worker with a contract of indefinite duration depends on the payment of the severance pay to the dismissed employee. If the severance pay is not dully paid, the dismissal is, under Greek law, null and void. The amount of the severance pay depends on two factors: the monthly salary and the employee's seniority in the company. However, in case of compliance by the employer with the period of notice, the amount of the compensation is reduced in half. However, given the - often very long (up to 24 months) - time of notice required, it was quite common for employers to pay the entire compensation instead of respecting this period of notice. However, this increased the cost of dismissal. The legislature in this situation decided to adopt a middle path, not by reducing the amount of severance pay, but by considerably reducing the period of notice (now set at a maximum of 6 months). In this way, companies are now particularly interested in

complying with the period of notice, in order to reduce by 50 % the amount of compensation due to the dismissed employee. The cost of dismissal is therefore, indirectly, reduced.

In addition, dismissal is also greatly facilitated under law 3863/2010 by permitting the employer to pay the severance pay in installments equal to 2 months' salary, which lifts the obligation of full payment of the compensation at the time of the dismissal.

b - The severance pay for employees with less than one year of seniority

Under previous legislation, employees with less than one year of service were entitled to a severance pay of one month's salary. Under the new legislation (Law 3899/2010), these employees no longer receive any severance pay. Similarly, no notice of termination is now required in the event of a breach of the employment contract of these employees without important seniority. Thus, the period of 12 months is similar, pursuant to the new legislation, to a probationary period. Therefore, if one also takes into account the fact that the dismissal does not require, according to the Greek labour law, any motivation, the Greek regime of dismissal has acquired, during this initial period of 12 months, absolute flexibility, rather rare in European legal systems.

c – The motivation for dismissal

Although initially under Greek labour law, the lawfulness of the dismissal of an employee on a open ended contract did not depend on the existence of a cause. There were some internal regulations (particularly in the area of bank and public sector companies) which provided the obligation of the employer to justify the dismissal or to follow a specific procedure. Law 4046/2012 has abolished all these clauses of employment stability, so that only the ordinary rules (legal) of dismissal are now applicable. All of the employers are therefore able to dismiss without having to invoke any reason justifying the termination of the contract, which gives once again an extreme flexibility to the Greek law in the field of the management of labor.

d - The threshold of collective redundancies

As mentioned above, companies rarely resorted to collective redundancy procedure, because of its rigidity, convinced beforehand that obtaining the consent of the representatives of the employees or the public authorities essential to the legality of such a dismissal, would be unsuccessful. This is why, in the event of scheduled dismissal of a significant number of employees, employers choose to dismiss each month a number of employees strictly below the (monthly) limit authorized by the law. This threshold was, according to the previous legislation, 4 employees in establishments with 20 to 200 employees and 2% of all employees in establishments with more than 200 employees.

In accordance with the new provisions (Law 3863/2010), this threshold was increased, thus increasing the number of employees likely to be dismissed without collective redundancies procedure being applied. Indeed, the respect of such a procedure is now necessary only for dismissal of more than 6 (instead of 4) employees over a period of 30 days in establishments with 20 to 150 employees and for dismissal of more than 5% (instead of 2%) of all staff (or more than 30 employees) in establishments with more than 150 employees. Therefore, such measures made easier and more flexible the redundancy for economic reasons for Greek companies, which can now more easily and quickly dismiss a large number of employees without these dismissals risk to be qualified as collective redundancies.

However, the wave of transformation of labor relations could not leave the public companies without consequences. In conjunction with flexibility and deconstruction measures of Greek labour law, employees of the Public Service are also affected by the reforms. Consequently, it is in the public sector that the balance seems to be the most negative given the commitment to reduce expenses of the Greek State. Besides the fact that all the terms of stability of employment are no longer in force, as we have already seen, the employees of these companies have also undergone, to a considerable degree, other important consequences.

C - The reduction of expenses of the public sector

The fact that a major reason for the Greek economic crisis is related to public expenses, reducing the latter has been a priority for the “Troika” and the Greek government. This reduction is oriented in two directions: firstly, the level of wages in the public sector (1), and, secondly, the reduction of jobs in the public sector (2).

1 - Measures concerning the salaries of public sector employees

The deficit of the State constitutes undoubtedly an important factor in the current economic crisis in Greece. Laws 3833/2010 and 3845/2010 originally planned the reduction of monthly salaries of all public sector employees. Premiums for holidays (Christmas and Easter) and of annual leave have been reduced drastically. These laws also prohibit the provision of any salary increases (in the future) for civil servants and public sector employees through either collective agreements or individual employment contracts.

Following that, law 4024/2011 reduced even more the salaries of civil servants and employees of public companies, by imposing ceilings on salary by occupational category. In this way, lowering salaries for public sector workers, which already had begun two years prior, continued on a much larger degree, giving an overall decrease of 35%, compared to the level of wages in 2010.

2 - **Measures concerning the suppression of jobs**

As a first step, the suppression of jobs involved the transfer of some employees of transport companies to other public sector services. Transfer of workers took place in extremely adverse conditions mainly due to important changes in the working conditions of employees (e.g. change of work position, change of the nature of work ...).

As a second step, a new procedure of abolition of jobs of public sector employees was established in 2011 by the government. This measure, called "employment reserve", concerned about 10% of all employees in the public sector. Employees who were considered "redundant", were placed in a status of "employment reserve" for twelve months. They continued to receive during this period 60% of their 'basic' salary, that is to say without taking into account the various allowances which constitute, however, a large part of their remuneration. "Reservists" employees will

have hiring priority when new work positions in the public sector will be createdor available. Given that such creation of jobs seems unlikely because of the lack of the economic situation and the governmental commitments towards the "Troika", employees are concerned that this in fact results, at the end of the twelve months, in dismissal without compensation and without any unemployment benefits.

Beyond these measures concerning the increasing flexibilization of individual labour law relations in Greece and the reduction of expenses by companies of the public sector, issued by the Greek legislature under pressure from “extranational" institutions, major modifications of the collective labour law were adopted. These modifications greatly affect the norms and the principles previously in force, suggesting a true deconstruction of collective labour law relations in Greece.

II – The deconstruction of collective labour law relations in Greece

Recent changes in Greek collective labour law were so important that it seems that its nature has been changed. Equilibrium points on which the basis of industrial relations was founded in recent years, even in recent decades have been displaced. Indeed, the previous system was based primarily on a number of constants. The first feature was the principle of favor in the event of concurrent collective agreements (A). The second constant was the possibility to extend the application of collective bargaining agreements (B). The application of collective agreements after their expiration (C), and finally, the possibility of unilateral recourse to mediation and arbitration particularly to resolve an industrial conflict, (D) also constituted fundamental provisions. The review of the new industrial relations landscape shows us more quickly that no one of the four constants above is still in force. Furthermore, it is important to note that the Greek legislature seems to show some "nervousness" in recent years. This fact is undoubtedly due to both the difficulties experienced by the Greek legislature to find satisfactory solutions and the strength of social and political forces that refuse to accept those changes. This results in the difficulty of adopting measures and then enforcing them, which is more than obvious. Thus, although the laws 3845/2010 and 3863/2010 have radically reformed the rules on the hierarchy of collective agreements and the methods of settlement of labor disputes, a second

legislative intervention, a few months later, was considered necessary (Law 3899/2010) in order to make further changes, followed by two successive laws (laws 4024/2011 and 4046/2012) which finally carry the most decisive changes in the field. These legislative adjustments are particularly exemplary of the difficulty with which the legislature acts**.**

A - The hierarchy of collective agreements

The regime of the hierarchy of collective agreements occurred, during the past two years, a succession of changes, all of them, however, in the sense of a repeal of the principle of favor in case of plurality of collective agreements, a long-rooted principle in the Greek labour law.

Originally, Law 3845/2010 amended the hierarchy system of collective agreements. According to the previous regime (Law 1876/1990), in the event of plurality of collective agreements with a different field of application, it was the principle of favor that applied. Therefore, the mechanism of Law 3845/2010 provided that the company collective agreements could include less favorable working conditions than those contained in the agreements of another level. Thus, the priority was, in any case, given to the company collective agreement, regardless of whether it contains less favorable terms than those provided in the branch agreements or in the national interprofessional collective agreements.

However, a more recent law (3899/2010), without directly abolishing current provisions, further amended the hierarchy of collective agreements. It provided a new type of collective agreement, called "special company collective agreement" which may provide less favorable terms. Thus, it could be endorsed in order "to save jobs and to improve competitiveness." This reform has provoked a strong reaction within the labor movement. Finally, there have been only few examples of conclusion of such "special enterprise collective agreements", due to the complexity of the procedure for concluding, on the one hand and due to the fact that trade union activists at national level were able to convince the enterprise union not to respond on the other hand**.**

Finally, Law 4024/2011 again amended the hierarchy of collective agreements by removing the regime of "special enterprise collective agreements" and by imposing the general and clear priority of company collective agreements in relation to branch agreements. The confirmation of the abrogation of the **"**traditional" principle of favor, is once again repeated and the derogation is authorized to affect all issues. However, it should be noted that Law 4024/2011 clarifies that the principle of favor is maintained in the event of a conflict with the national interprofessional company agreement insofar as it remains a standard mandatory for all workers in the country**.**

Meanwhile, the same law facilitates the conclusion of enterprise collective agreements. The objective is clear: to pave the way for the deviation from the provisions contained in the branch agreements. On the one hand, these agreements can now be concluded in companies of any size, whereas previously only companies employing at least 50 employees were involved. Secondly, and above all, the signatories of company collective agreements are no longer exclusively the unions, but can also be "unions of persons", that is to say small groups of employees of a company. Obviously, the risk of manipulation of these "unions of persons" in order to conclude derogating agreements is not excluded. In addition, this will likely cause a decrease of interest concerning the conclusion of branch collective agreements, insofar as unions will be particularly aware of the possibility of derogation, at any time, through the negotiation of a company agreement.

B - The repeal of the extension of the application of collective bargaining agreements

The branch collective agreements normally govern labor relations of the members of signatory trade unions. However, the Minister of Labor had the power to extend the scope of a collective agreement and make it binding upon all the workers of a given economic sector or occupation, that is to say, to impose - if the prerequisites needed were met - their application not only to members of the signatory organizations, but also to non-unionized employees and to non-members of signatory employers' organizations. This option granted to the Minister of Labor has simply been repealed by Law 4046/2012. Given that the unionization rate is currently at the lowest level in the history of social law in Greece, the application of branch collective

agreements will, therefore, undoubtedly be limited, which will further diminish their importance.

C - The extension of the validity of clauses in collective agreements

Upon expiration of a collective agreement, it remained in force for a period of six months and was applied to workers engaged during this period. However, on expiry of the period of six months, the conditions of work prescribed by the collective agreement continued to apply until the termination or amendment of individual employment contracts. The employer and the employee concerned had the possibility to agree terms less favorable (for the employee) than those provided for in the expired collective agreement. This regulation allowed the retention of accrued benefits, insofar as it was rare that such waivers were concluded at the individual level.

The new regulation reduces the extension of the validity of the terms of the collective agreement. Firstly, the period of extension of the validity of the agreement is reduced from six to three months. Secondly, the continuation of benefits beyond the period of three months, no longer concerns all working conditions, as in the past, but only a portion of salary. Thus, in the case of non-renewal of the collective agreement, the employee's remuneration may be considerably reduced and the "other terms" contained in collective agreements will be considered deleted. Taking into consideration that the non-renewal of a collective agreement is no longer a theoretical possibility, but a reality, and, given the balance of power against the side of the workers, the importance of the above amendment is obvious.

D - Settlement of disputes

Law 1876/1990 provided that both parties of a collective dispute have the right to request mediation services by the Organization of Mediation and Arbitration. The appointed mediator could therefore submit a proposal to the parties concerned. In case of acceptance of the proposal by Part A but of refusal of the proposal by Part B (or in case of refusal to participate in the said mediation), Part A had the right to appeal to unilateral arbitration. The arbitrator's award was binding in the same way as a collective agreements. In practice, the employees' party was the one who most often

appealed to mediation as well as arbitration. Therefore, the arbitration was frequently accused by employers to contribute to the increase of the labor cost and, subsequently, the loss of productivity of the Greek economy.

Law 3863/2010 initially planned changes to the system of resolution of collective labor disputes - specifically pronouncing the abolition of the "mandatory" arbitration - referring for details to a presidential decree. This abolition was probably the most characteristic change.

However, Law 3899/2010, adopted a few months later, further amended the provisions relating to the settlement of disputes, maintaining both procedures of resolution: mediation and "mandatory" arbitration. Indeed, returning to the announcement of the abolition of "mandatory" arbitration its rules underwent a major restructuring: employers have now the right to unilaterally appeal to arbitration under the same conditions as the employees' part. Moreover, the power of decision of the arbitrator was limited, mainly in the case of a unilateral appeal to arbitration. The decision could now only concern the minimum "basic" wage. All other forms of remuneration, such as wage subsidies or other parts not related to compensation were open only to free negotiation of the parties.
The new law (4046/2012) appears once again to interfere - this time in a much more decisive way - with the provisions relating to the resolution of collective disputes. Abolition of "mandatory" arbitration is probably the most characteristic change. Currently, the arbitration is absolutely subject to the consent of both parties, which undoubtedly will lead the system to obsolescence. Thus, the procedure for settling collective disputes that marked the Greek collective relations during the last twenty years, often bringing a solution to several serious disputes, seems abandoned.

But the question arises of how will the system of collective relations react, and which will be the implications for social peace, in whose service the previous system was, however, functional and effective**.**

Conclusion

As the economic crisis is not stabilized, can we hope that the series of reforms of labour law that Greece experiences will stop? In addition, we may wonder about the value that can still be allocated to the right to work, in times of crisis, yet directly guaranteed by Article 22 of the Greek Constitution. Will it serve as a legal shield against changes adversely affecting the quality of work? What is the acceptable level, for our legal order, to the decomposition of traditional legal values of labour law faced with the economic crisis and competition? What will then be the implications for social justice and social peace due to the deterioration of working and living conditions of employees? Finally, with the recent participation (June 2012) in the government of a moderate party of the left, is it likely to turn the tide and even to return to the front of the stage some protective rules for the workers, as some suggest?