勞工視角下的公正轉型：從德國經驗看臺灣的挑戰與契機

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在「淨零轉型」的治理架構上，戴理事長指出，在德國以明確的三方分工推進減碳，分別由國家負責建立減碳目標與時程，而企業的唯一任務是確實遵守，工會則專注保護勞工，盡量緩和綠色轉型對就業與工作條件的衝擊，且雖然各產業受影響程度不一，但德國工會並未反對金融與技術創新或再生能源的推動，也不排斥以再生能源的發展推動碳中和。

此外，2018 年德國成立「煤炭委員會」，這個多方利害關係對話機制起因於石化業與農業工會的強烈反彈，卻也促成了社會層級的關鍵共識：在 2038 年前德國將逐步淘汰煤炭，並對煤礦地區的結構轉型提供充足資金，期間需確保受影響員工能獲得具前瞻性的工作機會、合理薪資與適當的工作條件，例如排除裁員、不得縮減企業年金、提高津貼，以及針對職業訓練與安定就業的具體規範，更重要的是，並納入由產業別工會締結的團體協約中。

在環境治理方面，德國也透過團體協約導入制度化設計，設立環境委員會與環境專員制度，並建立員工就環境污染事件的申訴程序；值得一提的是，金屬工會更在產業內推動「行動工作」的協約安排，以實際減少通勤帶來的溫室氣體排放，並於 2019 年，和環境與自然保護協會共同發起氣候與交通轉型倡議。在臺灣方面，近年來全國產業總工會持續倡議「紅綠聯盟」，也就是環保團體與各產業工會之間的制度化對話平臺，藉由持續溝通來降低環境訴求與勞動權益之間的衝突。

轉入「公正轉型」的議題，德國實務上有三大變革。其一，透過工會活動讓勞工真正參與轉型治理；其二，透過員工代表會將參與權制度化，並以修法方式賦予員工代表會監督企業環境保護之權限，並保障一般性資訊知悉權與查閱權，且得帶薪參與訓練與教育，然員工代表會對企業決定事項雖有討論權但無決定權；其三，監事會的勞工席次為，企業員工 500 人以上的三分之一，若係 2000 人以上則為二分之一。這些代表負有監督董事會行為合法性、參與策略規劃與監督企業永續發展的任務，且德國透過勞動法與公司法的修訂，把勞工參與嵌入公司治理的結構之中。

理事長主張國內應儘速修法，賦予勞資會議中的勞動代表監督權，且即便在無工會的職場環境下，也應明定勞工代表之參與權與協商權，其更表明全國產業總工會的立場：「氣候危機就是就業危機，公正轉型就是就業轉型。」應積極推進全國行業層級的利害關係對話，尤其是中小微型企業及無工會組織企業的勞資對話，立法應明確保障勞工參與權，設置爭議解決機制，並要求企業充分揭露轉型資訊並負起對話責任，例如建立意見反映的收集和回饋機制，讓勞工參與討論政策制定與評估，使過程中每種聲音都能夠被聽見，並且在政府的決策中獲得適當的考慮，避免雇主將減碳成本轉嫁給勞工，確保轉型過程兼顧分配與程序正義；再者，高碳排產業如石化業、水泥業、鋼鐵業，應優先推動公正轉型，與環保團體共同建立階段性目標與碳費徵收共識，且各地政府應以「地方為主體」搭建對話平臺，積極推動轉職訓練與再就業輔導，使高碳排產業成為標竿產業，進而提高推動成效。

於簽訂「綠色團體協約」時，各部會亦應統一遵循勞動部的框架性指引，避免執行落差造成勞工之相對剝奪，同時，應落實《氣候變遷因應法》第三條第一項第十一款所揭示的「尊重人權、尊嚴勞動」，並以階段性可衡量的指標來推動，包括受衝擊影響評估、制定階段性減碳目標、提出具體的行動方案等。理事長強調，應正視人才與就業銜接的問題，落實職類盤點，建立有效之職能轉換途徑，例如培育新興綠能人才，提供在職綠色技能訓練與再就業輔導，並對於確實無法轉業的勞工，提出可被社會接受的補償方案。

國內應比照歐盟設立「公正轉型基金」，鎖定受影響產業與群體，包括中小微型企業、女性勞工、身心障礙者與原住民，以綠色技能培訓、認證、轉業安置及就業媒合為核心，確保減碳責任不會在勞工身上被動地擴散與堆疊；同時，透過基金提供產業資源的共享，包括公平與反歧視、健康與安全、勞工培訓、勞工職涯管道、勞工進行職務負荷以及失業勞工的保護及再就業，讓勞動權益在轉型過程中不被稀釋。

最後，在轉型的過程中，能源轉型、產業轉型、生活轉型以及社會轉型，必須從勞工、產業、區域、民生四個構面來進行公正轉型，凡涉及碳費徵收、企業碳盤查、自主減量計畫、節能設備汰換、製程優化與再生能源導入等重大決策，均應與工會或勞工進行協商，並以透明的資訊揭露與可檢核的績效指標作為對話基礎。臺灣的公正轉型應當符合國際主流定義，落實分配正義、程序正義與肯認正義，確保不同產業、不同地區與不同身分的勞工，都能在制度的保護下穩健前行。

A Labor Perspective on Just Transition: Lessons from Germany and Implications for Taiwan

Kuo-Jung Tai, President, Taiwan Confederation of Trade Unions—A Discussant's View



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According to Chairman Kuo-Jung Tai of Taiwan Confederation of Trade Unions (TCTU), Germany has adopted a clear tripartite division of responsibilities in its governance framework for achieving a net-zero transition. The government is responsible for setting explicit carbon-reduction targets and timelines, businesses are tasked solely with strict compliance to these mandates, and trade unions focus on protecting workers by mitigating the impact of the green transition on employment and working conditions. Notably, although industries vary in how the transition affects them, German unions have not opposed financial or technological innovation nor the expansion of renewable energy; in fact, they embrace the pursuit of carbon neutrality through renewable energy development rather than resisting it.

Chairman Tai points out that Germany's approach also features a strong social dialogue mechanism, exemplified by the Commission for Growth, Structural Change and Employment (Kommission Wachstum, Strukturwandel und Beschäftigung, KWSB), established in 2018. This commission, a multi-stakeholder platform formed in response to strong backlash from the petrochemical and agricultural unions, facilitated a pivotal consensus at the national level. Germany agreed to gradually phase out coal by 2038 and to provide substantial funding for the structural transition of its coal-mining regions. Equally important, it was agreed that during the coal phase-out period, affected workers must be guaranteed forward-looking job opportunities, fair wages, and decent working conditions. Measures to protect coal workers include prohibiting layoffs, preserving corporate pension benefits, increasing allowances, and setting concrete provisions for vocational training and job security. Crucially, all these worker protections are to be incorporated into collective agreements negotiated by the respective sectoral unions, ensuring that labor guarantees are legally binding and enforceable.

Germany has also integrated labor concerns into environmental governance through collective arrangements. Environmental committees and dedicated environmental officers have been established in workplaces via collective agreements, and grievance procedures exist for employees to report environmental pollution incidents. Notably, the metalworkers' union German Metalworkers' Union (Industriegewerkschaft Metall, IG Metall) negotiated a "mobile work" arrangement aimed at reducing greenhouse gas emissions from commuting, demonstrating how collective agreements can directly contribute to climate mitigation.

In 2019, IG Metall collaborated with two environmental organizations—German Federation for the Environment and Nature Conservation (Bund für Umwelt und Naturschutz Deutschland, BUND) and Nature and Biodiversity Conservation Union (Naturschutzbund Deutschland, NABU)—to launch the initiative titled "Shaping the Climate and Mobility Transition."

Chairman Tai observes that similar labor-environment alliances are emerging in Taiwan. In recent years, the TCTU has promoted a so-called "Red-Green Alliance," an institutionalized dialogue platform between environmental groups and industrial unions. The goal of this alliance is to foster continuous communication and reduce conflicts between environmental objectives and workers' rights, ensuring that pursuing sustainability goes hand in hand with protecting labor interests.

Turning to the concept of a "just transition," Chairman Tai identifies three major reforms in German practice that embed workers in the transition process:

A. Union-facilitated worker participation: Workers are given avenues to genuinely participate in transition governance through trade union activities. Unions serve as a conduit for workers' voices in shaping and implementing climate transition policies, ensuring that labor concerns are represented in decision-making forums.
B. Institutionalized works council rights: Germany has amended legislation to formalize employee participation rights via works councils. These reforms empower works councils to monitor companies' implementation of environmental protection measures and guarantee workers a general right to be informed about, and consult on, environmental and transition-related matters. Works council representatives are granted access to relevant information and even paid leave for training and education related to the transition, so they can competently engage in these issues. (It is noted, however, that while work councils have the right to discuss and advise on corporate decisions, they do not wield veto power over those decisions.)
C. Enhanced co-determination in corporate governance: Labor representation within company supervisory boards has been significantly strengthened. Employee representatives now occupy one-third of the supervisory board seats in companies with over 500 employees, and fully one-half of the seats in companies with over 2,000 employees. These worker representatives are charged with supervising the legality of board decisions, participating in strategic planning, and overseeing the company's progress on sustainable development. Through such co-determination measures—embedded via changes to labor and company laws—Germany has woven worker participation into the structure of corporate governance.

Drawing lessons from these examples, Chairman Tai argues that Taiwan must move swiftly to reform its laws to elevate the role of workers in climate governance. He urges prompt legal amendments to grant worker representatives in labor-management meetings formal supervisory authority over transition plans and policies. Even in workplaces with no unions, statutes should clearly stipulate workers' rights to participation and consultation on matters of workplace change. Chairman Tai underscores TCTU's stance by stating that "*the climate crisis is an employment crisis, and a just transition is an employment transition*."

Furthermore, Chairman Tai calls for actively promoting stakeholder dialogue at the national level. These dialogues should particularly involve smaller businesses, including micro, small, and medium-sized enterprises (MSMEs), and non-unionized workplaces, where labor voices are often missing. He emphasizes that open communication channels between employers, workers, government, and environmental groups are essential to build consensus on transition strategies.

At the same time, legislation must guarantee workers a voice in the transition. Chairman Tai recommends enshrining in law robust participation rights for employees, establishing formal dispute-resolution mechanisms to handle transition-related conflicts, and requiring companies to fully disclose information about their decarbonization plans. Employers should be held responsible for engaging in dialogue with their workforce on issues such as restructuring, retraining, and the adoption of new technologies. For example, companies may be required to establish mechanisms for collecting worker feedback and providing responses, thereby enabling employees to participate in discussing policy formulation and evaluating the outcomes of transition measures. An inclusive, consultative process ensures that every stakeholder's voice can be heard and given due consideration in government and corporate decision-making. These steps, Chairman Tai notes, are crucial to prevent employers from shifting the costs of decarbonization onto workers.

Chairman Tai emphasizes that high-carbon industries, including petrochemicals, cement, and steel, should be prioritized for just transition efforts. He suggests that companies in these industries, along with environmental groups, should establish clear, phased targets for emissions reduction and reach a consensus on implementing carbon fees or other carbon pricing mechanisms. In addition, local governments should take the lead in convening localized dialogue platforms, adopting a place-based approach to transition. By engaging at the community and regional level, authorities can actively promote worker retraining programs and provide reemployment counseling for those affected by industrial changes. The aim is to transform high-carbon industries into benchmark examples of just transition, where successful models of worker upskilling and fair restructuring can be showcased, thereby improving the overall effectiveness and public trust in the transition process.

To avoid uneven practices across different sectors, Chairman Tai recommends that when "green" collective agreements are negotiated, all government ministries should adhere to a common framework guided by the Ministry of Labor. These unified guidelines would prevent inconsistent implementation that might cause some workers to experience relative disadvantages compared to others. Chairman Tai also emphasizes the importance of upholding the labor principles outlined in Taiwan's legal framework. Article 3, Paragraph 1, Item 11 of the *Climate Change Response Act* stipulates that climate action should respect human rights, promote gender equality, and ensure dignified labor practices. These principles should be implemented through concrete, measurable steps. Chairman Tai suggests using phased and quantifiable indicators to drive policies, such as conducting assessments of how climate policies will impact vulnerable workers, setting interim carbon reduction targets, and proposing specific action plans to achieve those targets.

Preparing the workforce for the green transition is another central theme of Chairman Tai's remarks. He emphasizes the need to squarely address issues of talent development and job matching as industries transform. This includes conducting a comprehensive inventory of job categories and skills in the current workforce to identify which roles will be affected by decarbonization and what new skills are required in emerging fields. Based on this analysis, the government and industries should collaborate to establish effective pathways for workers to transition into new roles. For example, Taiwan should invest in cultivating new talent for emerging renewable energy and green technology sectors and provide incumbent workers with on-the-job training to develop green skills that will be in demand. Ample reemployment counseling and placement services will be needed to help workers navigate career changes. Importantly, for those workers who cannot realistically transfer to new roles or industries due to age, skill mismatch, or other constraints, Chairman Tai urges the design of socially acceptable compensation packages. Such compensation plans should be adequate and perceived as fair by society, ensuring that no worker is left without support in the transition to a greener economy.

As a financial pillar of support, Chairman Tai proposes that Taiwan establish a “Just Transition Fund,” modeled after the European Union's (EU) fund. This dedicated fund would target the industries and worker groups most affected by the climate transition. It should channel resources to assist MSMEs, as well as vulnerable workforce groups such as women workers, persons with disabilities, and Indigenous people. The fund’s core mission would be to finance programs for green skills training and certification, workforce re-skilling, career transition assistance, and job matching services for workers. These efforts ensure that the burdens of decarbonization are not passively offloaded onto workers.

At the same time, Chairman Tai envisions the fund to promote the sharing of resources and best practices across industries. The supported initiatives should include measures to uphold fairness and non-discrimination in the workplace, strengthen occupational health and safety, expand worker training and career development pipelines, manage workloads during structural changes, and provide protection and reemployment support for workers who lose jobs. By investing in these areas, the Just Transition Fund would help safeguard labor rights and benefits from being diluted during the transition.

In conclusion, Chairman Kuo-Jung Tai emphasizes that Taiwan’s pursuit of a just transition should align with internationally accepted definitions of justice. A truly just transition must encompass distributive justice (fair distribution of costs and benefits), procedural justice (inclusive and transparent decision-making processes), and recognition justice (acknowledgment and respect for the rights and distinct identities of all groups). He asserts that the ongoing transformations—whether in energy systems, industrial structures, lifestyles, or society at large—need to be approached through four critical dimensions: the labor force, industry, regional communities, and people’s livelihoods. All major policy decisions on issues such as carbon fees, corporate carbon audits, voluntary emissions reduction plans, upgrading of energy-intensive equipment, process optimization, and the introduction of renewable energy should be negotiated with trade unions or workers. Transparent information disclosure and verifiable performance metrics must form the basis of these dialogues, so that commitments can be monitored and trusted by all parties. By meeting these standards, Taiwan can ensure that workers from diverse industries, regions, and social groups can move forward securely under the protection of robust institutions. Chairman Tai’s overarching message is that a just transition is not only an environmental necessity but also a profound opportunity to advance labor rights and social justice in the era of climate change.