缺席產業級對話的公正轉型：臺灣的挑戰

高雄市產業總工會 林順基 理事長



文／吳慧真（國立陽明交通大學科技法律研究所碩士生）

生活在無污染的環境固然重要；對石化與鋼鐵產業占比高的高雄而言，更是如此。然而，雖然工會會員多任職於高碳排的企業，但他們對相關政策往往較為抗拒，最大的原因在於當前勞動條件已相當惡劣，對許多勞工來說，連追上物價漲幅都已措手不及。理事長提到，台灣勞工報酬占 GDP 的比重逐年下滑，從最高的 50% 降到去年的 43%；相較之下，韓國為 46.7%、日本 53.2%、美國 53.5%。高雄近年低薪問題尤為嚴重，去年在六都僅排名第五，也因此會員擔心在整體環境已不利的情況下，若此時再推動淨零碳排，可能進一步惡化勞動條件，因而常以「先把眼前的勞動條件爭取好再說」作為回應。

此外，本以為這種情況僅發生於台灣，但從 Krause 教授提供的資料才得知，原來德國亦有類似情況。在德國，工會在產業綠色轉型中扮演重要角色；反觀台灣卻缺乏相應的法制條件，且長期以來團體協約覆蓋率偏低，且多集中於企業工會層級，所以協商自然受限於單一企業層級，例如台灣中油高雄煉油廠關廠時，企業工會與資方就會員留任與優退進行協商；又如多家石化公司因環保要求增加成本，企圖下修勞動條件時，企業工會也就此交涉。此類協商侷限於個別公司，但綠色轉型的影響層面卻遠遠超越單一企業，若以高雄煉油廠為例，外包與派遣勞工的工作條件也同受衝擊，卻難在以企業工會為主的協商架構內受到保障。然而看見德國已討論將「減少溫室氣體排放」納入團體協約，對台灣工會而言已是一大激勵。

再者，企業層級的團體協約多著眼於公司內部勞動條件，較難建立產業層級的共同標準，若改變僅侷限於個別公司，可能將面臨成本上升的不利競爭，工會也因此缺乏施力空間。在高雄，有一從事燃油機車生產的企業，連續十餘年在台灣市占率為第一名；然而近年將研發重心轉向電動機車，投入大量資源及成本，卻始終未反應在銷售與獲利上，更突顯了單一企業承擔轉型成本的困境。

隨著川普上任，台灣政府的政策似乎有所調整，部分企業的重心又回到了生產燃油車，然而這讓企業工會更加陷入兩難。林理事長對 Krause 教授提出了以下問題：以德國經驗來看，產業層級對話與企業層級對話的最大差異應為何？在綠色轉型過程中，部分人員恐面臨重大職務調整，以從事燃油機車生產的企業工會為例，若要轉向電動機車，德國工會是否會介入協助會員進行職業訓練或提供職涯規劃，抑或主要仍由政府及其委託之職訓機構負責？若工會確實介入，介入的方式與分工為何？目前台灣淨零減碳主要由環保團體推動，但工會與環保團體常因訴求順位不同而產生歧異，以「公正轉型」為例，兩者理應成為合作基礎，然而實際推動卻往往不如預期，請問在德國，工會除了與環保團體合作以外，是否也獲得其他部門或團體，例如地方政府、產業工會、學研機構、監事會、勞資共決機制等的協助，進而影響企業轉型計畫？是否有其他可資參照的具體事例？最後林理事長強調，對抗氣候變遷不應該只是中產階級的環保運動，只有大家攜手合作，才能促成轉型。

Just Transition Without Sector-Level Dialogue: Taiwan's Challenge

Shun-Ji Lin, President, Kaohsiung City Confederation of Trade Unions—A Discussant's View



By Hui-Chen Wu—LL.M. Candidate, School of Law, National Yang Ming Chiao Tung University

Chairman Shun-Ji Lin observed that living in a pollution-free environment is certainly important, especially for Kaohsiung, where the petrochemical and steel industries constitute a large part of the local economy. However, he noted that many union members employed in high-carbon emission industries are often resistant to related policies. The primary reason, according to Chairman Lin, is that existing labor conditions are already extremely poor; for many workers, even keeping up with rising living costs has become impossible.

Chairman Lin further pointed out that labor's share of Gross Domestic Product (GDP) in Taiwan has been declining each year, dropping from a peak of 50% to just 43% last year. He noted that, by comparison, the figures for South Korea, Japan, and the United States are 46.7%, 53.2%, and 53.5%, respectively. Kaohsiung's low-wage problem has been particularly severe in recent years; last year, the city ranked fifth out of the six major municipalities in Taiwan. As a result, union members worry that pushing for net-zero carbon emissions under such unfavorable conditions could further worsen labor conditions. They often respond with the sentiment that *"we should first secure better immediate labor conditions before addressing other issues."*

Moreover, Chairman Lin initially thought this situation was unique to Taiwan, but data provided by Professor Rüdiger Krause revealed a similar situation in Germany. In Germany, trade unions play a key role in the green transition of industries. By contrast, Taiwan lacks the necessary legal and institutional conditions, and collective agreement coverage has long been low, mostly limited to the enterprise level. Naturally, this confines negotiations to single enterprises. For example, when CPC Corporation's Kaohsiung refinery (Taiwan's state-owned oil company) was shut down, the enterprise union negotiated with management on retaining union members and on enhanced retirement packages. Similarly, when environmental requirements increased costs for several petrochemical companies and those companies attempted to cut workers' benefits, the respective enterprise unions stepped in to negotiate. Such negotiations, however, are confined to individual companies, yet the impacts of a green transition extend far beyond any single enterprise. For instance, in the case of the Kaohsiung refinery closure, the working conditions of outsourced and temp workers were also affected, but it was difficult to safeguard their interests within an enterprise-level bargaining framework. Nonetheless, Chairman Lin found it greatly encouraging that Germany has even discussed incorporating "*reducing greenhouse gas emissions*" into collective agreements, as this development offers inspiration for Taiwan's unions.

Chairman Lin continued by noting that enterprise-level collective agreements primarily focus on a company's internal labor conditions, which makes it difficult to establish common standards at the industry level. If changes are confined to individual companies, those firms could face rising costs and a resulting competitive disadvantage, leaving unions with limited leverage. He highlighted a case in Kaohsiung where a manufacturer of gasoline-powered motorcycles held the top market share in Taiwan for over a decade. In recent years, this company shifted its research and development focus to electric motorcycles, investing substantial resources; however, the investment has yet to translate into increased sales or profits. This outcome highlights the challenge of a single company having to bear the costs of transition.

After Donald Trump assumed office as U.S. President, Taiwan's government policy appeared to shift, and some companies refocused on producing fuel-powered vehicles. This development, Chairman Lin noted, placed enterprise unions in an even greater dilemma, as it further complicated their position between supporting environmental goals and protecting workers' interests.

Chairman Lin then posed the following questions to Professor Krause:

A. Based on Germany's experience, what is the greatest difference between dialogue at the industry level and at the enterprise level?

B. In the process of a green transition, some workers may face significant job reassignments. Consider the case of a company union in a fuel-powered motorcycle manufacturing firm. If the company is to shift toward electric motorcycles, would German trade unions intervene to assist their members with vocational retraining or career planning, or would this primarily be handled by the government and its vocational training agencies? If unions do intervene, in what ways do they become involved, and how are responsibilities divided?

C. Currently, Taiwan's net-zero carbon reduction efforts are primarily driven by environmental groups; however, trade unions and environmental organizations often diverge due to differing priority concerns. For example, although the principle of a "just transition" should provide a foundation for cooperation, in practice, progress often falls short of expectations. In Germany, apart from collaborating with environmental groups, do trade unions also receive support from other sectors or organizations, such as local governments, industry-specific unions, academic and research institutions, corporate supervisory boards, or labor-management co-determination mechanisms, to help influence companies' transition plans? Are there other concrete cases that could serve as useful references?

Finally, Chairman Shun-Ji Lin emphasized that combating climate change should not be merely an environmental movement of the middle class; only through everyone working together in unison can a successful transition be achieved.