

Emma Stringfellow

Warwick Business School, University of Warwick

Paper presented at the
Industrial Relations in Europe Conference 2008
University of Greenwich, 23-25 June

Egalité, liberté, fraternité... et diversité ? The views of French trade unions

Abstract

This article aims to extend and critique the work of Greene, Kirton and Wrench (2005) comparing the responses of trade unions to 'Managing Diversity' (MD) in the UK and Denmark. Drawing on interviews with officials from four French unions (CFDT, CGT, CGC-CFE, CGT-FO) and four different sectors (banking, car manufacturing, aeronautics and hotelleries) at workplace level in large French companies, I contend that the French discourse of diversity corresponds more to the UK liberal equality approach than to the UK standard discourse of MD. Therefore, we cannot assume that there is a standard definition of MD which unions in all countries are responding to. In terms of academic and practical importance this research should contribute to the cross-cultural understanding of unions' varying responses to diversity policies in Europe, and of how the conceptualisation and practice of MD vary according to national cultural contexts.

Introduction

'Diversity' and 'managing diversity', are terms which have come to dominate human resource equality policies in the US and from there, the UK, many European countries and EU institutions, with the European Commission championing MD as an example of good practice and offering funding for projects which promote "the business case for diversity" (European Commission 2007). There is a vast amount of literature on this 'new and improved approach' to equality, the principal message of which in the Anglo-American version is that a diverse workforce is good for company performance and should be harnessed to this end (Kandola and Fullerton 1998, CIPD 2005). Very little research, however, has examined trade union views of, or role in, managing diversity policies, despite the fact that in many European countries trade unions are institutionally recognised as legitimate and important actors in the negotiation and implementation of equality policies. The inclusion of trade unions in a joint regulatory framework for equality is crucial given the limitations of the business case, unilateral employer initiatives and legal regulation for achieving substantive equality outcomes (Dickens 1997, 1999). Whilst most unions in Europe have historically prioritised the interests of male, native-born, full-time employees and still have some way to go in adequately representing the interests of disadvantaged groups (Hyman 1994), these problems have been acknowledged and progress is being made (Dickens 1999). Unions have a vital role to live up to, one which their own legitimacy and survival most likely depends on, in providing a 'voice mechanism' for disadvantaged groups. Their views of the Managing Diversity approach to equality are therefore worthy of exploration.

This article extends and critiques the work of Greene, Kirton and Wrench (2005), who suggest that different cultural contexts may shape trade union views of managing diversity (MD) in very different ways. They compare trade union responses to MD in the UK and Denmark, finding that Danish unions have embraced MD enthusiastically whereas UK unions have far more sceptical attitudes. They argue that these differences are accounted for by the contextual factors of national industrial relations systems, prior experience of equality policies and anti-discrimination activities, and social and political contexts with regard to assimilationism and multiculturalism¹. Greene et al (2005) and Wrench (2005) also argue, however, that MD is something which trade unions should be wary of irrespective of different contexts, and have identified the dangers of MD as being a soft option for employers, replacing moral arguments with business ones, diluting the focus on specific groups, mystifying the basis of social inequality through the focus on individual differences, rejecting positive action, and encouraging stereotyping and ethnic reification. Greene et al therefore argue that the positive language of diversity is not a suitable one for unions to use in order to tackle discrimination and disadvantage, and question whether “the acknowledgement of the effects of different contexts mean that we should uncritically accept that unions in different countries are justified in responding differently to diversity management?” (ibid, p.193).

These arguments are explored in this paper in relation to France. Like Greene et al (2005), I aim to examine trade union views of MD as a new concept/approach which is distinct from traditional equality policies. I argue, however, that Greene et al have focused on the Anglo-American version of MD, and that more account needs to be taken of whether the Anglo-American version has been adopted as such in other countries, or whether it has been adapted in translation. In order to answer the main research question about how French unions view MD then, it is first of all necessary to examine what MD actually is/means in the French cultural context.

I contend that the dominant discourse and rhetoric of MD in France differs significantly from the dominant discourse and rhetoric of MD in the UK. This is particularly the case with regard to the four essential components commonly ascribed to the Anglo-Saxon discourse of MD (Greene and Kirton 2004, CIPD 2005) i.e. that it is voluntary and top-down in nature, serves business objectives, values difference rather than sameness, sees differences as being individual rather than group-based, encompassing not only all visible differences but also an infinite number of invisible differences. Differences in cultural contexts therefore not only shape trade union views of MD in different ways, but also the discourse and policies of MD itself. Thus, as Greene et al argue, we should not uncritically accept that unions in different countries are justified in responding differently to MD by their different contexts, but neither can we assume that they are responding to the same thing.

Major recent events have made France particularly interesting for this study. In October 2004 a Charter for Diversity was signed by 40 of France’s largest companies. In November 2005, riots involving young people of mainly immigrant descent began in the Paris suburbs and spread throughout the whole of France, continuing for several weeks and leading the government to declare a three-month state of emergency. These events triggered intense public and media debate on the subject of ‘diversity’, leading to a national level collective

¹ In the multicultural ideal-type “the government endorses the principle of cultural diversity and actively supports the right of different cultural and ethnic groups to retain their distinctive cultural identities” (Vink 2007:337). This can lead to struggles over cultural spaces in organizations and societies (Prasad et al 2006:4). Assimilationism is a difference-blind approach in which immigrants/‘outsiders’ must integrate into the host society so that distinctions which can translate into victimisation and discrimination are avoided. Cultural identity in the public arena is suppressed, which can generate resentment among minorities (Mahajan, 2007:317).

agreement on diversity in October 2006. This 'new' concept of diversity has caused much controversy in France due to its association with multiculturalism and the perceived threat this poses to the basic ideology of French republicanism, which recognises "only the French people, without distinction of origin, "race" or religion, ... Thus, no section of the French population may claim to be a 'people', a 'minority', or a 'group', with cultural or other rights attaching to such status" (Latraverse 2004:4).

The national collective agreement on diversity foresees a study in 2008/2009 of the company and sector level agreements concluded as a result of the national framework agreement. A database of agreements on diversity is currently being compiled by the Observatory of Corporate Social Responsibility (ORSE) and a study assessing the content of all company level diversity agreements negotiated to date was produced in January 2007 (Jacquier and Moussay 2007). However, no research has yet been undertaken regarding diversity from the perspective of French unions at company and workplace level. Drawing on interviews with union officials from four French unions (CFDT, CGT, CGC-CFE, CGT-FO) and four different sectors (banking, car manufacturing, aeronautics and hotels), this paper analyses the responses of French trade unionists at company and workplace level to the discourse and policies of diversity in French private sector companies.

In terms of academic and practical importance this research should contribute to the cross-cultural understanding of unions' varying responses to diversity policies in Europe, and of how the discourse and policies of MD vary according to national cultural contexts. It should also underline the importance of a joint regulatory framework for equality and diversity policies.

First of all, this paper examines how MD is conceptualised in the literature and the theoretical frameworks and tools available for analysing it. The paper then looks at the existing literature on trade union responses to diversity policies in Europe. Following this, the research methods and methodology used to obtain and analyse the empirical data are presented. The empirical findings are then used to explore the research questions with the help of the analytical tools mentioned above. Finally, the empirical findings and analysis are summarised in the conclusion.

Conceptualisations and criticisms of MD in the Anglo-American literature, theoretical frameworks and analytical tools

MD was originally developed by US employers as a result of the backlash to affirmative action programmes (Kirton and Greene 2004). In the UK, "whilst the less threatening nature of the diversity approach undoubtedly also appeals to many policy-makers, it emanates more from the widespread perceived need to link equality objectives to broader business and organisational objectives. It is argued that failure to do so has been one of the key weaknesses of the traditional 'equal opportunity' approach" (ibid p.4).

Four essential components are commonly ascribed to the MD discourse in the Anglo-American literature (Greene and Kirton 2004, CIPD 2005, Mor Barak 2005): it is voluntary and top-down in nature; it serves business objectives; it values difference rather than sameness; and it sees differences as being individual rather than group-based - encompassing not only all visible differences such as gender, disability, race, age but also an infinite number

of invisible differences such as sexual orientation, religion, life-style, family status, work style, etc.

On the basis of this version of MD discourse, several criticisms have been made of MD. One of the most frequently expressed criticisms is that it replaces moral justifications with business ones (Kirton and Greene 2004). As Dickens (1999) points out, business case arguments can vary as labour or product markets change, giving rise to 'fair weather' equality action. Business cases can even be articulated against equality action. Moreover, "organisations can and do obtain cost benefits from, for example, ...the undervaluing of women's labour and the exploitation of women and some ethnic minority workers as a cheap flexible workforce" (p.10). Social justice and business arguments converge when organisations feel that demonstrating their ethical behaviour is important for their image or their acceptance in society. In such a case institutional pressure may lead to a merely superficial adoption of diversity discourse (Bellard & Ruling 2001).

MD is criticised as representing a "soft option" for employers (Liff 1997). Its emphasis on a top-down, management-led approach, gives managers the power to define problematic areas, so that they can favour more attractive elements of diversity and avoid those which are more controversial. There is a danger that MD will sidestep some of the stronger elements of equal opportunities policies, being "restricted to the feel-good 'celebrating cultural diversity' type" (Wrench 2003:11). When the MD approach is a meritocratic one motivated by the quest for talents, there is a danger that "the 'other' is invited to the organization but is only tolerated insofar as he or she enriches the centre, so the asymmetric positions of power are maintained" (Kamp & Hagedorn-Rasmussen 2004:529). In this case, just as traditional liberal equal opportunities policies have been criticised for judging equality or 'sameness' against the norm of the white able-bodied male, MD judges 'difference' against the same dominant norm and may use it to reassert inferiority and justify exclusion (Liff and Wajzman 1996). When MD approaches link expectations of performance to ethnic or social group background and the sets of qualities attributed to these backgrounds, stereotypes are reinforced: "If being different becomes a central argument for occupying a position within the organisation, the implication is that conditions that create differences are both positive and necessary" (De los Reyes 2001, p.170).

Most Anglo-American advocates of MD claim that the key to its success is in seeing all individuals as uniquely different (CIPD 2005). Critics have responded that by removing attention from discriminated social groups, the burden of being discriminated has to be borne by the individual alone. An individualised approach undermines collective support, isolating the weakest and most disadvantaged (Kamp and Hagedorn-Rasmussen 2004, Liff 1999, Kirton and Greene 2004). Furthermore, an individualist approach treats all differences as equally significant, trivialising diversity so that no organisational change is considered necessary (Greene and Kirton 2004), and ignoring the fact that some groups have suffered historically from greater prejudice and discrimination than others. "It is difficult to see how focussing on the individual could tackle issues such as under-representation of minority groups or the 'glass ceiling' in any systematic way" (Greene and Kirton 2004).

Liff (1997) and Kamp and Hagedorn-Rasmussen (2004) have produced typologies of policy approaches to MD, which I use as analytical tools for the discourse of MD in France. Liff identifies four approaches which distinguish between the relative importance attached to either social groups or individuals in policy making. Only one approach, *dissolving differences*, stresses the uniqueness of individuals; "while the intention of such an approach is

an ‘environment in which everybody feels valued’, social group equality is not being given any specific significance as an objective of organizational policies” (p.14). The three remaining MD approaches are presented as an extension of equal opportunities policies rather than a qualitatively new approach (Woodhams and Danieli 2003). The *valuing differences* approach recognises the importance of socially-based differences for the perpetuation of inequality and acknowledges the need for organisational change so that everyone feels they belong, not only white males. Policy includes positive action to overcome past disadvantages. The *accommodating differences* approach emphasises recognising talent despite social differences by using policies which are open to all but which target specific groups. Finally the *utilising differences* approach uses social group-based differences as the basis for different treatment e.g. parallel career tracks for ‘career’ women and ‘family’ women. This approach accommodates difference at the expense of equality.

Kamp and Hagedorn-Rasmussen (2004) have built on Liff’s typology of approaches and produced a typology of discourses. These discourses differ in their social group or individual focus and the emphasis on valuing differences or sameness. According to Kamp and Hagedorn-Rasmussen, a mix of the four discourses is usually used but one or two will normally predominate depending on the cultural context and organisational priorities. In their *using human capital discourse*, people are judged on their merits and differences between them are disregarded. According to this discourse, discrimination induces failures in meritocracy, but the norms of what are the right merits remain unchanged. Demographic developments and using diversity to find the right talent wherever it can be found are the motivations, not valuing difference for itself. This is an individualistic discourse which emphasises sameness. The *using cultural capital* discourse is motivated by multicultural markets. Employees with a multicultural background are expected to bring a special contribution and competitive edge. The norms of which merits are needed are therefore differentiated. Differences are valued but fixed – people are classified according to their background. This is a social group-based discourse which emphasises difference and risks reinforcing stereotypes. The *social justice* discourse recognises the importance of socially based differences for the perpetuation of inequality and acknowledges that discrimination can be institutionalised in the organisation. This discourse takes positive action or positive discrimination to eradicate structural discrimination as the starting point. Business motivation is based on expectations from society, customers or employees, and concern for corporate image. In the *organisations in flux* discourse, MD implies that people constantly challenge each other and are a resource for creating a dynamic learning organisation. Individuals’ uniqueness and differences are valued but not regarded as based on social group membership, rendering all differences of equal importance.

Trade union responses to diversity and ‘managing diversity’ policies in Europe

The most developed research into trade union views of MD has been carried out in the UK (Greene and Kirton 2004, 2006, Kirton et al 2005) and Denmark (Wrench 2003, 2004, Greene, Kirton and Wrench 2005). Greene et al (2005) argue that national systems of industrial relations and national equality contexts strongly influence the ways in which unionists perceive diversity policies. In particular, the conflictual or consensual nature of relations between unions and employers appears to be an important factor. They also find political and societal contexts and debates around multi-culturalism and assimilationism to be crucial, as well as the histories of gender and racial equality policies and the ways these relate to each other.

For the unionists interviewed by Greene and Kirton (2004), MD is typically perceived as a purely managerialist approach which emphasises the business case rather than the social justice case for equality. Kirton et al (2005) found sceptical views among trade unionists about the practice of diversity policies, which were thought to be mere window-dressing. These views were mixed with pragmatic attitudes that “in practice diversity was simply a renaming of the traditional “equal opportunities” discourse” (Kirton and Greene 2006:436). The individualist approach and the way that diversity approaches in the UK are wrapped in the discourse of human resource management has aroused the suspicion of British unions for whom racism and discrimination “should be combated, not managed” (Wrench 2003 p.103). Oikelome’s (2006) article on the views of black members of the TUC confirms Greene and Kirton’s findings of the hostility amongst UK unionists to MD.

The Danish unionists, however, were strongly in favour of MD as a policy approach and seemed to accept it uncritically as the way forward in Denmark (Greene et al 2005). Wrench (2004) puts this down to immigration being a relatively new phenomenon in Denmark so that the Danish unions have not had the same long history of struggles as UK unions to achieve reasonably strong anti-racist and anti-discrimination policies. For the Danish unions then, MD is not seen as something that could undermine their previous efforts (ibid). The long tradition of progressive gender equality policies in Denmark means that the concept of diversity is used primarily to refer to ethnic and racial equality (Wrench, 2004). The conflation of ‘migrant’ with ‘muslim’ which is in turn assimilated with ‘oppression of women’ has also entrenched the separation between gender equality and ‘diversity’ in Denmark (Greene et al 2005). Danish activists expressed no concerns about the individualised focus of MD and revealed more positive views about the business rationale, which Greene et al (2005) ascribe to the Nordic tradition of consensus and cooperation with employers.

Greene et al’s (2005) major criticism of diversity policies in Denmark appears to be the Danish unions’ negative attitudes towards positive action for ethnic minorities and ethnic monitoring (central to equality policies in the UK). Greene et al attribute this to the assimilationist nature of Danish society and conclude that MD therefore appeals to Danish unions for its ‘all individuals are uniquely diverse’ approach. Although this seems to be more a criticism of assimilationism than of MD, it points to the importance of debates around assimilation versus multiculturalism in shaping not only trade unions’ views of MD but also the discourses and policies of MD itself.

Greene et al (2005) found that unionists in both countries were pragmatically using management’s language of diversity to their own ends in order to engage management with union equality agendas: in Denmark, to pursue the previously neglected issue of race and ethnic inequality, and in the UK as a way of broadening the equality agenda. However, Greene et al raise an important question: “Is it possible for unions to appropriate the language of diversity management to tackle discrimination and disadvantage?” (p.189) given that “the language of diversity is overwhelmingly positive” and “the problem with this positive language is that it removes the linguistic and discursive tools with which to describe and therefore tackle discrimination and disadvantage; instead, diversity becomes something unproblematic to be valued and celebrated” (p.193). Empirical studies, such as Kamp and Hagedorn-Rasmussen’s (2004), of ‘diversity management’ in practice are necessary to answer this question. Kamp and Hagedorn-Rasmussen for example demonstrate that whilst, due to the cultural context, Danish unions may in practice apply an assimilationist version of MD

which does not value differences, they are nevertheless able to break down stereotypes and perceptions of “them and us” and create new arenas for reflections on identity.

The French trade union context

As Greene et al (2005) have demonstrated, industrial relations are an important influence on unions’ perspectives of diversity policies. France has an extraordinarily complex system of industrial relations, the most significant characteristics of which are union pluralism and state intervention. The five nationally ‘representative’ unions² and the so-called autonomous or independent unions³ are seriously divided along ideological, professional and strategic lines. This largely explains why French unions have one of the lowest union density rates of any developed market economy: 8.2% in total, 5.2% for the private sector (DARES 2004). The other reason is that they have never been particularly interested in recruitment as their objective is to represent the entire workforce at a political level (Jobert 2004). Since 1945 the state has been intervening to compensate for union weaknesses and promote more cooperative social dialogue at workplace level with extension procedures for collective bargaining, extensive workplace rights for unions, legal stipulations about the level, issues and frequency of negotiations and the rule that only one union need sign an agreement for it to be valid. These interventions have tended, however, only to divide and weaken French unions even further and undermine autonomous bipartite social dialogue (DARES 2006, Jobert and Saglio 2004, Parsons 2005). The French state therefore developed “one of the most highly regulated employment systems in the world, with the Labour Code covering every aspect of work, from discipline procedures to coffee breaks” (Parson 2005 p.30). These two characteristics therefore explain the major paradox of French industrial relations; that French trade unions are structurally very weak, particularly at the increasingly important level of the workplace, and yet are institutionally extremely strong with a bargaining coverage rate of around 90% (ibid).

In this context the state has introduced a legal obligation for companies to negotiate on gender equality on a three yearly basis. There is also a quota for disabled employees (6% must be disabled or the company pays a fine). After publishing the Fauroux Commission Report (2005) which stated that trade unions had not been sufficiently involved in resolving discrimination in employment, the government informed employers that greater (ethnic or cultural) diversity in recruitment would be imposed via legislation if they did not bring this about themselves within two years⁴. This led to the national inter-professional agreement on diversity signed in 2006.

Relations between unions and employers in France are generally still described as conflictual (Cerdin 2001). The antagonistic relations between unions and employers led to the development of highly individualised HR practices by French employers, France being “the continental European country with the most developed American-style HRM” (Gumbrell & Hyman 2006, p.486). However, economic, social and political change and the increasing weakness of the unions have forced them (some more than others) to move towards more cooperative relations and concession bargaining (Parsons 2005). In order to obtain the “Equality label” (a coveted kitemark awarded by the government), companies must negotiate

² CFDT, CGT, CFTC, CGT-FO, CFE-CGC, ‘representative’ meaning legally entitled to sign national level agreements.

³ FSU, UNSA, the Groupe de Dix and SUD.

⁴ This threat appears to have since been removed with the change of presidency.

an agreement on gender equality with their unions. A “Diversity label” is in the making. Model employers, such as those close to the Institut Montaigne, therefore insist that negotiating with unions must be the first step in any diversity policy (Sabeg 2006).

The research

This research draws on qualitative interview fieldwork. Eight semi-structured interviews were carried out involving eleven trade unionists at company and workplace level. The research design was a multiple case one involving a broad sample of companies:

- One mass production company, two service-providing companies and three hi-tech companies
- Four male-dominated companies and two female-dominated companies
- Two companies with many ethnic minority workers, one with an increasing proportion of ethnic minority workers and three with very low levels of ethnic minority workers.
- Two companies with low-skilled workforces, one medium and three high-skilled workforces
- Two companies with large, two with medium and two with small workplaces

Company	Largest TUs	TUs interviewed	Level	Agreement on diversity
Car manufacture	FO then CGT	FO, CGT, CFDT (3 males)	Site, company and sector	Yes
Hotels	FO and CFDT	CGT (2 males)	Company and sector	Yes
Banking	CFDT and CFTC	CFDT (1 male)	Company	No
Aeronautics	CFE-CGC	CFE-CGC (2 females)	Site	Forthcoming
Aeronautics	FO and CFE-CGC	CFDT (1 female)	Site	Forthcoming
Aeronautics	FO and CFE-CGC	CGT (1 female, 1 male)	Group and company	Forthcoming

Company A - Car manufacturing

Interviews took place with workplace level representatives from the CGT and FO (both male). Both were involved in negotiations for the company agreement on ‘diversity and social cohesion’ signed in 2004. The FO representative also had a mandate at sector level. A male company level representative of the CFDT was also interviewed. The FO is the largest union at this site, followed by the CGT.

Company B – Group of large hotel chains

An interview took place with two male representatives from the CGT (one at sector level and one at company level) who were involved in negotiations for the company agreement on diversity signed in February 2007. The CGT is the third largest union in the company.

Company C – Banking

An interview took place with a male company level CFDT representative. The company does not have an agreement on diversity. The CFDT is the second largest union in the company and the largest in the banking sector.

Company D – Aeronautics

An interview took place with a female workplace level representative from the CFDT. The CFDT is the smallest union at the site. Companies D, E and F all belong to the same group which has signed the Diversity Charter. Negotiations for an agreement on diversity at group level should begin at the end of 2007.

Company E – Aeronautics

An interview took place with two female workplace level representatives from the CFE-CGC. The CFE-CGC is the largest union at this site.

Company F - Aeronautics

An interview took place with two representatives from the CGT, one at group level (male), and one at company level (female).

Companies A, B and C were founding signatories of the Diversity Charter. All of the companies were in the private sector although companies D and F had only been privatised in the 1990s. They are all large French companies and therefore do not provide a representative picture of the private sector as SMEs and foreign multinationals are not represented and companies such as these - which have negotiated diversity agreements at any level - are the exception rather than the norm.

Interviewees were selected according to the strength of their union in the company i.e. where possible (and this was not always the case) interviewees should be representatives of one of the two largest unions in the company⁵. Although interview questions were broadly based around those used by Kirton and Greene (2006) and Kirton et al (2005) to ensure comparability, unlike Greene et al's (2005) sample of union interviewees, this sample did not include interviews with officials specifically or purely responsible for equality issues at sector or confederation level. This will affect the degree of comparability of the findings.

Semi-structured interviews were chosen to provide the comparability needed for a multiple case study whilst allowing interviewees to take the discussion in directions they deemed to be important. Particularly due to the foreign language and culture issue, an interview technique was required which enabled culture-specific cognitions to be elicited. Nuanced cultural and linguistic terms could be (and were) discussed and clarified to avoid misunderstanding on both sides.

Interviewees were helpful and forthcoming, however, their responses tended to be rather 'political'; they were careful to present their union in a particular light, especially in comparison to other (rival) unions, many statements began for example with "Our union, in comparison to others...". All interviews were recorded and transcribed directly from French into English. Coding and analysis of data from the interviews was carried out using NVivo.

⁵ Their size or strength of a union at company level is based on the results of the elections for the Works Council, it has nothing to do with membership levels.

The questions concerned interviewees' definitions of diversity, the use of the term 'managing diversity', what interviewees felt diversity or MD meant to management, the content of diversity policies in practice, management's willingness to involve unions in diversity policies, and interviewees' own initiatives in the area of promoting equality, non-discrimination and 'diversity'.

The French concept and discourse of diversity: documentary data

The documentary data suggests that a standard discourse of MD is not available in the French context and that the standard UK definition with the four essential components identified above is inapplicable.

It cannot be ignored that the discourse on diversity in France only really took off as a result of several highly publicised studies revealing extensive racial discrimination in recruitment practices in France (Amadiou 2004, Viprey 2004) and government pressure, especially after the 2005 riots (see above). In October 2004, employers from forty of France's largest companies signed a Charter for Diversity, which has now been signed by over 2000 French companies. The Charter and its accompanying text states that cultural and ethnic diversity is the primary concern because other issues, such as gender and disability, have already been dealt with in other laws and agreements. More specifically still, the Charter is aimed at young people of immigrant descent as youth unemployment is a significant problem in France (Alternatives Economiques 2008). The Charter commits signatories to make their diversity policy a subject of social dialogue with workers' representatives (Bébear & Sabeg 2004) and in October 2006 a national inter-professional collective agreement on "equal treatment, non-discrimination and diversity in employment" was signed. The agreement states that whilst diversity, like non-discrimination and equal treatment, can refer to questions of sex, age, sexual orientation, values, familial status, pregnancy, origins, real or supposed belonging to an ethnicity, nationality or race, surname, political opinions, religious beliefs, membership of a trade union, physical appearance, condition of health or disability, the social partners have decided to focus first of all on discrimination related to origin and ethnicity. The agreement obliges companies with more than 50 employees to create a joint Diversity Committee which meets once a year. The company must provide the necessary information for an assessment of the situation regarding diversity to be made. Already then we can see that the French conceptualisation of diversity has a social group focus (with particular emphasis on ethnic minorities) and is not a purely managerial approach as social dialogue is considered to be one of the essential components.

The first French HR textbook on MD appeared in 2007. This edited collection of contributions (Peretti 2007), most of which are co-written by a management school academic or consultant and a practitioner, advocate an eclectic mix of diversity approaches which confirm Bellard and Ruling's (2001) findings that the main drivers for diversity policies in French companies are social justice arguments rather than business case ones. The introductory chapter for example points out that there is as yet no proof of a causal relationship between diversity and innovation or improved economic performance. It also highlights the opportunity which diversity presents to develop social dialogue and negotiate collective agreements. (Peretti 2007). The book takes a social group approach to diversity with contributions addressing each of the social groups subject to discrimination separately. There is one contribution that attempts to introduce the business case: "Diversity is approached in the form of obligation... it is a case of promoting diversity in the name of good

citizenship and integration. ... According to us it is necessary to change this perspective and consider diversity as a productive source of investment”⁶ (Alis and Fesser 2007:130). These authors exhort companies to recruit workers “according to their targeted clientele. Which large establishment does not dispose of a Japanese sales assistant in Paris, of a sales assistant of Russian origin on the Côte d’Azur? It is a case of responding to the needs of the clientele with an approach integrating marketing and human resources” (ibid p.131). A contribution from feminist academics on the other hand defines gender diversity as a transformative approach which moves away from the traditional equal treatment approaches of ‘helping women to be like men’ to the eradication of the male norm as the standard reference (Voynet-Fourboul et al 2007). Another contribution denounces individualisation as well as all forms of positive action; “another risk is that of individualisation, that is to say, by bringing attention to the differences between individuals, each one will end up demanding to be treated differently to the others” (Feron and Augur 2007:253). It also warns of the risk of *communautarisme* (segregation or ghettoisation which undermines the cohesion of the nation), “which will lead the individuals of a group to assemble together on the basis of ethno-cultural criteria” (ibid). This contribution then surprisingly concludes by demanding that the legislator should “lift the veil on the taboo subject of ethnic difference” by establishing rigorous rules for the collection of statistics on ethnicity. Another contribution emphasises the need for individualised HR practices, “today the individual has an acute awareness of their individuality and wishes to be recognised in their singularity....A growing number of companies moreover are basing their client approaches but also their managerial approaches on concepts such as uniqueness and intimacy, the respect of singularity” (Prudhomme and Bournois 2007:37).

As can be seen from this example, apart from the usual positive language about the richness which diversity brings, the identification of any consensus in France on the essential components of an MD strategy is impossible. The only recurrent theme in the literature is the “danger” which diversity may present in the form of *communautarisme*. This demonstrates how problematic the fourth component in the standard UK discourse of MD - valuing differences - is in the French context. The social group focus of ‘diversity’ has triggered intense controversy in France due to its association with positive discrimination, ethnic monitoring and multiculturalism and the perceived threat these pose to the basic ideology of French republicanism:

“Notions of ‘community’, ‘cultural pluralism’, or any concept which emphasizes the importance of the immigrants’ culture of origin are rejected because they are assumed to reflect an immigrants’ state of non-integration. This state is believed to engender social problems between immigrants and French society, and thereby threaten social cohesion, which would, in turn, favour the development of racism” (Van der Valk 2003: 312)

Blivet (2004) discusses the difficulties in France of dealing with the notion of ‘race’:

“Are we racist if we talk about ‘race’? ‘Race’, we know, does not correspond to any biological reality. It is also the origin of the worst historical monstrosities. We should therefore not be talking of ‘race’. For the Republic, the French citizen is an individual the same as all others. Neither their sex, nor religion nor the colour of their skin should play any role in the modalities of their

⁶ This and the following quotes from Peretti (2007) have been translated from French. All translations in this paper are by the author.

participation in the “community of citizens”. From this ambition...France draws its principle of cohesion”⁷ (p.9).

The French National Assembly has recently even debated removing the word ‘race’ from all French laws, hence also the preference for the use of ‘visible minorities’ rather than ‘ethnic minorities’. The implications are crucial for issues such as ethnic monitoring for example, over which the country is fiercely divided, with black associations and most diversity advocating employers in favour, unions unsure but generally against, and sociologists and politicians split down the middle (Arnaud et al 2007, Meynaud 2007, Ferry 2006, Simon 2007). “We are in the process of transforming social relations by using the vocabulary of multiculturalism”⁸ (Bataille quoted in Carrel 2005)⁹.

Greene et al (2005) have suggested that the individualised focus of MD represents a moving away from positive action aimed at redressing historic disadvantage of particular social groups. In France, however, the Institut Montaigne, the liberal think-tank which created the Diversity Charter and is the foremost advocate of MD in France, has argued strongly and controversially in favour of positive discrimination (Sabeg 2004) and ‘positive equality’ (Blivet 2004), the latter seemingly close to the British ‘positive action’¹⁰. However, the concept of ‘positive action’ in the British sense is not understood in France and is usually conflated with positive discrimination¹¹. Attempts to introduce the concept of ‘positive equality’ have therefore met with criticism that positive discrimination is merely being re-named with something that sounds ‘nicer’ (*Observatoire du communautarisme* 2004)¹². The companies with the most avant-garde ‘diversity’ policies have negotiated social group targets with their unions,¹³ but the methods generally preferred for ‘promoting diversity’ are ones which emphasise equal treatment and merit, for example the use of anonymous CVs, recruitment practices using job simulation instead of based on qualifications, and recruitment partnerships with job centres in underprivileged areas (Ferry 2006, Peretti 2007).

Relating this to the typologies of MD described above, it appears then that the discourse and policy which predominates in France has elements of Liff’s *valuing socially-based differences* and *accommodating differences* approaches and Kamp and Hagedorn Rasmussen’s *social justice* and *using human capital* discourses. Business motivation is based on expectations from society, customers or employees, and concern for corporate image, rather than about harnessing diversity for business goals as in the UK. The importance of social group-based differences for the perpetuation of inequality is recognised but people should be judged on

⁷ Translated from French.

⁸ Translated from French.

⁹ France has looked with interest across the channel, initially with the general belief that the UK has been more successful in integrating its minorities. News of recent reports on the failure of the British pluralist model of integration has therefore also influenced the debates.

¹⁰ Encouraging or helping certain groups (eg with special training courses) and even giving preferential treatment to people from underrepresented groups. But not going as far as recruiting people solely on the basis of their belonging to a certain social group when they are less qualified or competent, which would be positive discrimination (Johnson and Johnstone 2004).

¹¹ Ferry (2006) gives examples of actions which he defines as *not* being positive discrimination but which he says are commonly labelled as such by French commentators: special courses in underprivileged suburbs to prepare young people there for entrance exams to elite universities, grants and scholarships for outstanding young pupils from these suburbs, and government subsidies for education in “Priority Education Zones”.

¹² The hostility towards anything which smacks of positive discrimination is particularly strong amongst opponents of the new right-wing president, Sarkozy. The latter is an advocate of both positive discrimination and ‘selective immigration’, and other hard-line immigration policies.

¹³ E.g. Eau de Paris and Peugeot-Citroën.

their merits whilst differences between them are disregarded. The norms of what are the right merits though remain unchanged. The policies proposed for dealing with this social group-based discrimination are ‘indirect positive action’, i.e., policies which are open to all rather than only specific groups but which *de facto* target particular groups. The approach is therefore a social group one which claims to value differences but in fact usually tends to emphasise sameness.

In short, whilst the most radical advocates of diversity in France are proposing an approach including positive discrimination which is similar to the UK radical equality approach (Kirton and Greene 2004), the dominating French ‘diversity’ discourse and policies appear to correspond entirely to traditional equality approaches in the UK - linking a liberal ‘sameness’ approach with aspects of ‘difference’ which recognise indirect discrimination and attempt to improve the situation of certain social groups (ibid). There therefore appears to be no equivalence between the standard UK discourse on MD and the French discourse on diversity. The analysis of the responses of French unions to diversity and MD in the next section must be undertaken in the light of this.

The responses of French trade unions to the discourse and policies of diversity at national level

The national inter-professional agreement on diversity defines its objective as “guaranteeing workers non-discrimination and equal treatment in recruitment and throughout their career”¹⁴ (CFDT 2006). The actions proposed for achieving this (training managers and line-managers, communication to fight stereotypes, ensuring recruitment and promotion are strictly based on merit alone) shy well away from anything resembling positive action. Experimentations in positive action may though be the subject of an ad hoc joint working group, established by the agreement to collect and diffuse good practices.

However, despite the carefully republican wording of the agreement, some unions at national level have since expressed concerns about the concept of ‘diversity’. The FO defends “republican values” against diversity and “calls for vigilance on the concept of diversity which does not guarantee non-discrimination and is a complementary approach”¹⁵ (FO 2007). The CGT is concerned that rather than “truly combating discrimination” employers will “give themselves a good conscience by brandishing the term ‘diversity’ (CGT 2006). The CFDT, in an article subtitled “The CFDT denounces the concept of diversity” explains that it is “not hostile to diversity, which is a reality but in no case an objective. It is impossible to quantify” (quoted in Blain 2006:38). The CFDT advocates the view of the sociologist Philippe Bataille: “The concept of diversity is a UFO... At best this notion promotes ‘the other’. It puts the attention on people whereas we have put it on systems. The other inconvenience about it is that it favours the creation of ethnic networks.... Promoting diversity should not be confused with combating discrimination” (ibid p.37).

Suspicion amongst unions of the ‘non-concept’ of diversity arises then first of all from the fact that the word has been introduced by employers, and secondly because its lack of clarity means employers can exploit it either to improve their image whilst doing nothing, or to actively avoid combating the causes of discrimination, or to introduce *communautarisme* and undermine republican values. However, only two of the union interviewees at company or

¹⁴ Translated from French.

¹⁵ All quotes in this paragraph have been translated from French.

workplace level appeared to be familiar with the ‘official’ stance on diversity at the confederation level of their union and so were generally not particularly influenced by the concerns of their unions discussed above.

The responses of French trade unions to the discourse and policies of diversity at company and workplace level

Union definitions of diversity

Greene et al (2005) differentiate between diversity as a descriptor and as a policy approach. They found that unions in both Denmark and the UK were generally happy with diversity as a descriptor but had very differing views on diversity as a policy approach (see above). The French union interviewees were also happy with diversity as a descriptor but had no problems with the discourse(s) of diversity nor criticisms of diversity as a policy approach. Their criticisms concerned managements’ motivations for engaging with (or appearing to engage with) diversity and the (lack of) actual policy initiatives, which did not live up to management rhetoric. Interestingly, this is the inverse situation to Kirton and Greene’s (2006) UK union representatives who were critical of the discourse and policy but fairly unperturbed by the practice (see above).

When using diversity as a descriptor, Greene et al’s (2005) UK and Danish interviewees talked about diversity with regard to their own constituencies and internal structures, recognising the need to represent the diversity of the workforce more effectively. For the French interviewees, however, union rivalries made this a difficult admission to make, and they were therefore at pains to prove that this was not a problem for *their* union:

“What characterizes the CGC in relation to the other unions .. is that we try to give the means to the people who come to us... to find their place... So we respect the freedom of thinking of people, there is no obligation to think the party line” (CFE-CGC Aeronautics)

“well we’re one of the unions which wants to be progressive, so we have diversity in the union at all levels” (CGT Hotels)

“well for our union, for us its natural to work with everybody. There are elected union representatives of all origins. For us, they’re questions which we don’t even ask ourselves at FO.” (FO Cars)

The recurrent definitions in the French union representatives’ responses to diversity as a descriptor were that it is a catch-all term to cover all of the traditional attributes which are discriminated against, it refers primarily to ethnicity, it includes discrimination of trade unionists, and it is vague and difficult to define:

“For me diversity covers, it’s a bit like a cascade, it covers quite a few specific themes.” (CFC-CGC Aeronautics)

“diversity... has integrated the notion of recruitment of the populations of immigrant origin, of African and north African origin.” (CGT Aeronautics)

“defining diversity itself is not simple, there are lots of themes in there.” (CFDT Bank)

“we received this convocation to discuss ‘diversity in the company’ and we asked ourselves what on earth that might mean.” (CGT cars)

All but one interviewee said they had never heard management use the term ‘managing diversity’. Others, although they had never heard the term used, considered it to mean the application of collective agreements on the issue or ensuring that conflicts and tensions do not arise between different social groups within the organisation.

The lack of a common understanding for diversity compared to the other terms in the French equality lexicon accounts for some of the criticisms expressed by interviewees (below) about management’s conceptions of diversity. However, views about diversity as a policy approach were generally positive. Those which were not positive did not see diversity as a policy approach at all but only as a descriptor, a fact of life that has little meaning in terms of action:

“Diversity... is to have the reflection of society in the company. .. it’s a result. What comes first is discrimination. So yes, I would say that it is discrimination which prevents us from having diversity.” (CFDT Aeronautics)

“Diversity is a fact, it’s the fact of being different, its ‘you’re a woman, I’m a man, I’m disabled, I’m not disabled, I’m black, I’m white’, etc. that’s diversity. ...diversity is the situation of each person, but non-discrimination is more an action.” (FO Cars)

Those who did see it as a policy approach had varied conceptions of what this approach was. For the CFE-CGC it was about avoiding labour market segregation:

“the goal of diversity in my opinion is to avoid the ghettoisation of people, avoid creating professional ghettos.” (CFC-CGC Aeronautics rep. 1)

It was also about changing attitudes rather than behaviour, therefore going beyond compliance and outside the scope of regulation:

“it is inconceivable for me that you can have an agreement to have that tolerance there. ... Equality, we try but today all the employers try to show that they are all in conformity with the law. So maybe now with diversity and bringing tolerance.. we have maybe a point of entry in people’s thinking which will enable us to change the mentalities. (CFC-CGC Aeronautics rep. 2)

The CGT aeronautics representative was most positive about diversity as a policy approach, seeing it as a positive opportunity for more social dialogue and believing that it could broaden the scope of the policy agenda which had previously not managed to tackle all the forms that discrimination and inequality could take:

“And the fact that today it has become an obligation of negotiation, .. that then makes it possible to ensure that we talk about it regularly, that we regularly assess the situation.” (CGT Aeronautics)

“I think diversity is larger; it’s a concept which is much more global... It’s interesting because it makes it possible to ensure that all of the situations of discrimination or different treatment are analysed in the company.” (CGT Aeronautics)

Union views on sameness and difference approaches

Regarding the typological elements of the French diversity discourse and policy described above, the fit with the interviewees’ perspectives was a close one; there is a social group focus in the sense that diversity should integrate specific social groups who are systematically discriminated against. In some cases it was felt that this can be achieved by eliminating all criteria except merit and competence i.e. disregarding differences and treating everyone strictly equally:

“at the moment where you’ve no discrimination you’ve no more need to talk about equality or diversity. That means that every person who arrives as a candidate for a job will have the same chances, that’s the non-discrimination, to be anonymous with your baggage, your competences, that’s it, and is recruited in relation to the needs of the company.” (CFDT Cars)

Diversity for these union interviewees therefore seems equivalent to a liberal sameness equality approach in the UK (Kirton and Greene 2004). In other cases interviewees spoke of policy initiatives which treat people differently in order to treat them equally, such as the example provided by the FO representative of neutralising certain criteria for obtaining a pay increase for disabled people. However, this union representative felt that such special treatment was only justified in the exceptional case of disability and he was not engaging particularly with the language of diversity:

“There is no discrimination any more. The supervisors know very well that if they discriminate it will be sanctioned strongly. ... It [diversity] has become something natural and it’s not even talked about anymore. Diversity exists but for us it’s a natural thing.” (FO Cars)

Proactive ‘indirect’ positive action measures were also advocated, for example, recruitment drives in areas where there is a concentration of ethnic minorities. The CGT trade unionists in both the car manufacture, hotels and aeronautical companies went the furthest in advocating positive action, for example recruitment targets for ethnic minorities, special training courses for women and ethnic minorities, and gender parity in union decision-making bodies. The CGT representatives in the aeronautical sector came the closest to proposing a transformative ‘valuing differences’ diversity agenda which should challenge the merit system of a culture based on the norms of the white male full-time worker, for example, part-time workers should have equal access to management positions, men should be encouraged to share parental leave.

“my definition of diversity is .. the company must adapt itself to the differences. It’s not for the differences to adapt themselves to the company.” (CGT Aeronautics)

Union views of management's conceptions of diversity

When asked what respondents felt diversity meant to the management of the company, responses were less positive. The question was mostly interpreted as “what are management’s motivations for diversity?” Here the political divisions between unions appeared to be an influential factor. Representatives from certain unions were more inclined to demonstrate their consensual attitude in comparison to other unions, whilst others underlined their oppositional stance in relation to their rival unions.

Due to their awareness of the national collective agreement and the political debates around the social integration of young people of immigrant background, most interviewees considered management’s engagement with diversity to be an ‘obligation’ rather than a voluntary managerial approach:

“Its enough the President of the Republic talks about it a bit for them [companies] all to do something.” (CFDT Bank)

“It [diversity] obliges the management to no longer evade this question [of discrimination of people of immigrant descent]” (CGT Aeronautics)

Almost of the interviewees emphasised the importance to management of diversity for the image of the company:

“it’s a fashion thing. .. I’m not saying they do nothing, .. but it’s mainly to follow the trend.” (CFDT Bank)

“Today there are criteria which make them want to give this image to the exterior that this is a society which knows how to respond to the preoccupations of the moment.” (CFC-CGC Aeronautics)

“Their priority is the window display” (CGT Hotels)

Unsurprisingly, the interviewees who were most positive about management’s policies and commitment to diversity were also most positive about management’s willingness to involve the unions in these diversity policies. They were also able to supply more concrete examples of the types of policy actions carried out than those who were not involved by management:

“I know that now in recruitment they don’t ask for photos, they don’t ask for nationality, to avoid problems of discrimination, but concrete actions for diversity - we don’t really see them. ... That’s why in the context of diversity and the fight against discrimination we wrote to the management to tell them that we wanted to share our ideas with them....and the management replied that they were doing the necessary and they didn’t see the utility of discussing it with us.” (CFDT Bank)

Only the car manufacture and hotel companies had already signed agreements on diversity. In both cases it was the company which initiated the negotiations rather than the unions (although in the hotel sector the CGT interviewees said they had been requesting negotiations on discrimination for a long time). In the aeronautical company, negotiations were due to begin at group level at the end of 2007 at the request of the CGT. However, they described

management at this level as “unenthusiastic”¹⁶. The companies with diversity agreements were also the companies with large proportions of ethnic minorities within their workforce. They were also the only companies where the responses of the interviewees indicated that diversity was being harnessed for business goals. “Harnessing diversity” here referred to solving recruitment difficulties and as the ethnic minority workers are concentrated in low wage jobs, (and also precarious jobs in the case of the hotel sector), the business case for diversity was criticised for being simply about finding the cheapest labour:

“they know that ...the people they will have to attract, given the salaries they offer, it is going to be the young people who suffer this discrimination in society.” (CGT Cars)

“if you have the impression that they [the company] are a bit pioneers in this area there are very precise reasons, ...we’re a company with many different ethnicities after all we recruit people from all the countries of the world” (CGT Hotels)

In the companies where ethnic minorities were distinctly lacking, diversity was “an obligation”, “not a priority”, although some recognised that it was not purely about social justice and, at least in theory, “the aim of the game is also that the company gets something out of it too” (CFC-CGC Aeronautics).

The CGT representatives were the only interviewees to suggest that diversity policies were motivated purely by economic necessity. The other interviewees concurred with the HR good practice literature that the ‘business case’ was first and foremost about the need for “social peace” within the company, or the negative effects of the lack of such social peace:

“we have recruited a lot of young people of foreign origin, .. So for the management it’s first of all about social cohesion.” (FO Cars)¹⁷

Kirton and Greene (2006) found views amongst UK trade unionists that “in practice, by using a business case logic, most organisations could be selective about which dimensions of diversity to value and which issues they would rather ignore.” (p.438). Such problems were also identified as real ones by the French union interviewees. However, in the French case it was not the use of the business case which caused these problems but rather the vagueness of the term which interviewees felt allowed management to decide what qualifies as ‘diversity’, to define it in such a way that they ‘had it’ or were ‘doing it’. This resulted in some ambivalent views amongst the interviewees about the practice of diversity, for example, when companies with a ‘naturally’ high proportion of ethnic minorities in their workforce claimed credit for their diversity in order to get good publicity for free:

“a bit giving themselves a good conscience about what is really happening on the ground and given the working conditions of the majority of foreigners who occupy the most difficult and lowest paid posts. And now they’re trying to get themselves celebrated with an agreement on diversity, well, it’s easy but at the

¹⁶ Whether other unions had requested this as well was impossible to ascertain. The CFE-CGC interviewees in one of the subsidiary companies of the group were not aware that negotiations were planned at group level and were planning to propose negotiations on diversity to their management after concluding the current negotiations on gender and disability at workplace level. They expected their management to be cooperative.

¹⁷ The collective agreement at this company is titled “Agreement on diversity and social cohesion in the company”.

same time you have to recognise that at least they provide employment to those people.” (CGT Hotels)

The vagueness of the term also meant that companies could claim to be ‘doing diversity’ by recruiting ethnic minorities but segregating their workforce:

“if its about employing Africans to work in the agencies in Barbés, there’s certainly no problem, because they’re going to serve black people. .. It’s certain that they’d never put Africans in agencies at Nouilly.” (CFDT Bank)

“The companies say “we’ll create jobs and we’ll employ everyone” it [diversity] is much more focussed on that, all that is to make people forget the discrimination which is happening on the ground.” (CGT Hotels)

Or it could mean that companies consider employing highly qualified foreigners a diversity policy, whilst not valuing all their human resources equally:

“We’re also a company which for ten years has been working on multiculturalism with the fusion with the company over the channel, then with Germany, then Spain.” (CFC-CGC Aeronautics rep; 1)

“the investment and the advantages etc given to the high profile people and for the others we just manage their files.” (CFC-CGC Aeronautics rep. 2)

Unions’ views of negotiated agreements on diversity

Despite these criticisms about management’s motivations, where agreements existed, interviewees were generally happy with the commitment of senior management and the application of the agreements, which were considered to progress the equality agenda:

“Yes, it [the agreement] has facilitated things for us,.. it is evidence that there is a recognition of the phenomenon of racial discrimination. it gives us more legitimacy, ... now when there’s discrimination it’s easier to say ‘that’s not normal, you yourself have said so’.” (CGT Cars).

A positive view of diversity policies in practice concerned the integrated approach to diversity taken at the car manufacturing company. Several agreements are considered to be “part of diversity” allowing the way the issues are “interwoven” to be taken into account:

“based on the diversity and the disability agreements, which are interwoven after all, we have a bit of everything and we use a bit of all [of them], ...they’re all complementary, they’re all interwoven. They allow us to act” (CFDT Cars)

The only examples provided of management implementing positive action came from the two companies with diversity agreements. However, as many interviewees stated, they were “starting from nothing” and whilst there may only be few examples at the moment they were entirely absent before. It seems then that ‘diversity’, where it is collectively negotiated, is bringing unions the opportunity to put positive action on the negotiating table for the first time rather than representing a turning away from it.

Where no agreement existed, senior management commitment was felt to be lacking and interviewees referred to significant gaps between rhetoric and reality:

“there is a display of willingness, but there’s no real concrete willingness. There is really an important need and so they propose ‘mini-measures’ let’s call them, saying to themselves ‘well, it will all sort itself out in the end’. ” (CGT Aeronautics)

In the banking company where no agreement had been negotiated on diversity it was felt that management was simply re-labelling its existing equality policies without introducing anything new and continuing to tackle different issues under the diversity label very separately so that certain issues could be avoided:

“here, diversity isn’t dealt with in one block, it’s treated in several themes. There’s the part-time agreement, .. the gender equality agreement, ...there’s also an agreement on the integration of disabled people. It’s separated into several points. But the management considers it is doing diversity by signing those agreements. But they separate the problems. ... as soon as we stray from that subject they say “that’s not the subject”. So when we talk with them about gender equality we stick to gender equality within the company, not for recruitment.” (CFDT Bank)

These criticisms suggest that whilst the French union interviewees were attracted by the concept of diversity in theory, they had conflicting ideas about diversity as a policy approach. This was especially the case where no collective agreement had been negotiated. In these cases most interviewees felt that management’s diversity policies amounted to merely superficial rhetoric, or were being misused to airbrush their equality and non-discrimination policies. For many of the interviewees a diversity policy should include more positive proactive measures such as targeted recruitment and training programmes. Where no collective agreement existed, however, this was not considered to be happening.

Appropriating the language of diversity

Kirton and Greene (2006) discuss the pragmatism of UK unions, given their weak institutional position, in using the language of diversity “to refresh a flagging commitment to equal opportunities” (p.445). French unions have an institutional position arguably secure enough to avoid this pragmatic need to “sell” their equality agendas to employers disguised in the more palatable language of diversity. They also have a political tradition which arguably prevents some of them from being able to do so anyway; being seen to ‘speak the language of employers’ would be inconceivable for those unionists whose *raison d’être* is to be oppositional. Therefore the only union which spoke of using employer-friendly language to achieve their objectives was the CFE-CGC, the union representing managerial staff. The CGT interviewees on the other hand, were keen to insist that their definition of diversity was different to management’s¹⁸.

¹⁸ This should not, however, be understood as anything particular about diversity; being the CGT, they would probably insist that their definitions of equality, non-discrimination, etc. are different to management’s too.

As has been discussed above, the societal debates and the existence of the national collective agreement on diversity appear to have prevented the mistrust of the concept amongst union representatives at company and workplace level which has been expressed at national confederation level. The use of the language of diversity appeared therefore to be largely unproblematic for them. More importantly, as evidenced in the previous section, they were using it according to their own definitions and to fill the gaps in existing equality and non-discrimination policies. So for example, when they requested negotiations or discussions with management on the subject of 'diversity', they did so with purely social justice arguments and not business case or employer-friendly language:

“so we stepped in to tell the management to exercise this social responsibility and start negotiations” (CGT Aeronautics)

Conclusion

This research has shed light on the French discourse of diversity and shown that it corresponds more to the UK liberal equality approach than to the UK standard discourse of MD. Unlike the standard discourse of MD in the UK, diversity discourse in France does not emphasise as its primary motivation the harnessing of diversity to serve business objectives, neither is MD portrayed as being a particularly voluntary or purely managerial approach, the emphasis is not on valuing differences (whether individual or group-based), and the discourse has opened up discussion of positive action for certain social groups far more than divert from it, despite fears of *communautarisme*. The French discourses of MD, or the lack of any common one, were not therefore perceived as problematic by the unionists interviewed. The origins of the diversity discourse in France, the focus on social groups - particularly minority ethnic groups, and the role of the state mean that it has opened up new areas for negotiation and cooperation rather than posing a threat to unions.

The union interviewees who were engaging most positively with diversity saw it as an opportunity to broaden the equality agenda, to move away from traditional approaches of treating everybody strictly the same and to tackle discrimination with more positive and proactive measures which were almost unthinkable in the French context before the advent of the debate on diversity. This does not mean that the strictly equal treatment mindset is no longer present among unions at workplace level and the extent to which these opportunities are being taken up varies from union to union (apparently more so than from sector to sector although the sample of interviewees was not large enough to put this forward as a trustworthy conclusion). However, it would appear that in the French context the positive language of diversity is not depoliticising discrimination for French unions in the way Greene et al (2005) feared. The debates around multiculturalism mean that diversity is not perceived by French unions to be “something unproblematic to be valued and celebrated” (Greene et al 2005:193). It is not merely about helping ethnic minorities to overcome their deficiencies so that they can fit in better either. Rather, it is considered to be primarily about taking proactive measures to deal with the systematic discrimination of these groups in society. It is not something which can be “managed consensually without a political struggle” (ibid p.194), as the debates around positive discrimination and the apparently conflicting ideas between unions and management of what a diversity policy should entail demonstrate.

My answer then to Greene et al's (2005) question is no, we should not uncritically accept that unions in different countries are justified in responding differently to MD by their different

contexts. But we cannot assume that there is a standard definition of MD which unions in all countries can respond to and thus ignore the ways that different contexts shape unions' definitions of diversity.

The problems which French unions are more likely to see in diversity policies are to be found in management's motives for engaging with them and the lack of practical implementation. Engagement with diversity is often perceived by unions as being primarily about the image of the company or being seen to fulfil social obligations. In both of these cases there is therefore a perceived danger that policy actions will only be superficial and avoid tackling the real problems of discrimination. This is especially the case where there is no social dialogue on the issue. Where management refuses to involve unions there is a perception that the vagueness of 'diversity' is exploited in order that management can define it in the most expedient way.

The implications are important given the current fixation of the European Commission with "proving the business case". A pernicious aspect of the business case revealed by the responses of the union interviewees is that diversity was being "harnessed for business goals" only in the companies with large proportions of ethnic minority workers concentrated in low paid and precarious jobs. If the business case in certain cultural contexts is mostly about solving recruitment difficulties for the worst jobs and finding the cheapest sources of labour, it should be a cause for concern rather than something to be promoted. Further research on the practical outcomes of diversity policies for disadvantaged groups and the involvement of all the stakeholders, such as Kirton et al's (2005) and Kamp and Hagedorn-Rasmussen's (2004) studies of the UK and Denmark, is therefore necessary in other European countries. The specificities of the French context discussed in this study make it an interesting place to start.

Acknowledgements

Thanks to Ardha Danieli and Anne-Marie Greene for their comments on previous versions of this paper. Thanks to the to the Observatoire de la Responsabilité Sociale de l'Entreprise for financing the case data collection.

Abbreviations

CFDT	<i>Confédération française démocratique du travail</i>
CFE-CGC	<i>Confédération française de l'encadrement- Confédération générale des cadres</i>
CFTC	<i>Confédération française des travailleurs chrétiens</i>
CGT	<i>Confédération générale du travail</i>
FO	<i>Force ouvrière</i>
FSU	<i>Fédération syndicale unitaire</i>
MD	<i>Managing Diversity</i>
ORSE	<i>Observatoire de la Responsabilité Sociale de l'Entreprise</i>
SUD	<i>Solitaires, unitaires, démocratiques</i>
TUC	Trade Union Congress
UK	United Kingdom
UNSA	<i>Union nationale des syndicats autonomes</i>

References

- Alis, D., Fesser, M. (2007) Diversité : de l'obligation à l'opportunité pour l'entreprise. In: Peretti, JM (ed) *Tous différents, gérer la diversité dans l'entreprise*. Eyrolles, Paris.
- Almond, P (2004). Industrial relations as a discipline and field in France and the UK. In *Relations Industrielles/Industrial Relations*, 59(2):321-344.
- Alternatives Economiques (2008) L'Etat de l'emploi. Alternatives Economiques Pratique no.32, January.
- Amadiou, J.F. (2004) *Enquête 'testing' sur CV*. Observatoire des discriminations, Paris Sorbonne.
- Arnaud, D., Tassel, F., Coroller, C., Le Loët, K. Joffrin, L. (2007) Faut-il compter les noirs, les arabes... et les autres ? *Libération* 23 February pp.1-4
- Bébear & Sabeg (2004) *Une charte de la diversité : pour quoi faire ? Charte de la diversité dans l'entreprise*
http://www.social.gouv.fr/IMG/html/charte221004_1.html Accessed 01.08.2007
- Bellard, E. and Rüling, C.C. (2001) Importing Diversity Management: Corporate Discourses in France and Germany. Working Papers from Ecole des Hautes Etudes Commerciales, Université de Genève 2001: 13.
- Blain, D. (2006) Discriminations, Lever les obstacles d'accès à l'emploi. *CFDT Magazine* No. 325, July-August 2006.
- Blivet, L. (2004) *Ni quotas, ni indifférence : L'entreprise et l'égalité positive*. Institut Montaigne.
- Bryman, A., Bell, E. (2003) *Business research methods*. Oxford University Press
- Carrel, F. (2005) *Diversity Charter: Let's take action!* Article for the 2005 European Commission Journalist Award http://journalistaward.stop-discrimination.info/fileadmin/content/images/Journalist_Award/Winning_Articles_05/WinnerFR_-_EN.pdf Accessed 01.08.2007
- Cerdin, JL, Peretti, JM (2001) Trends and emerging values in human resource management in France. In: *International Journal of Manpower*. 22(3): 216-225.
- CFDT (2006) *Accord national interprofessionnel sur l'égalité de traitement, la non-discrimination et la diversité dans l'emploi (2006)*
http://www.cfdt.fr/telechargement/cfdt_action/negociations/2006_10_26_accord_diversite_entreprise.pdf Accessed 01.08.2007
- CGT (2006) *Mohammed Oussedik : "malgré ses insuffisances, l'accord sur la diversité à l'entreprise constitue un progrès"* Interview. 24 Novembre 2006.
www.cgt.fr/internet/html/lire/?id_doc=4690 Accessed 01.08.2007
- CIPD (2005) *Driving diversity progress: messages from a showcase of CIPD research*.
<http://www.cipd.co.uk/subjects/dvsequl/general/drivdivers0205.htm> Accessed 01.08.2007
- DARES (2004). Mythes et réalités de la syndicalisation en France. *Premières synthèses* 44.2
- De los Reyes, P (2000) Diversity at Work: Paradoxes, Possibilities and Problems in the Swedish Discourse on Diversity. In: *Economic and Industrial Democracy* 21: 253-266.
- Dickens, L. (1999) Beyond the business case: A three-pronged Approach to Equality. *Human Resource Management Journal*, 9(1):9-19
- Fauroux Commission Report (July 2005) *La lutte contre les discriminations ethniques dans le domaine de l'emploi*. La documentation française.
<http://lesrapports.ladocumentationfrancaise.fr/BRP/054000466/0000.pdf> Accessed 01.8.2007

- Ferons, M., Augur, A. (2007) De nécessité faisons vertu. In: Peretti, JM (ed) *Tous différents, gérer la diversité dans l'entreprise*. Eyrolles, Paris.
- Ferry, L. (2006) Discrimination positive ou intégration républicaine ? Pour une société de la nouvelle chance. In : La Documentation Française, *Regards sur l'actualité* no. 319 mars.
- FO (2007) *Résolution Sociale*. XXIème Congrès Confédéral, Lille 25-29 June 2007
<http://forceouvriere91.free.fr/congres07generale.pdf> Accessed 01.08.2007
- Greene, A.M., Kirton, G and Wrench, J. (2005) 'Trade Union Perspectives on Diversity Management: A Comparison of the UK and Denmark'. In: *European Journal of Industrial Relations*, 11(2)
- Greene, A.M. and Kirton, G. (2004) Views from another stakeholder: trade union perspectives on the rhetoric of 'managing diversity'. *Warwick Papers in Industrial Relations*, 74.
- Jacquier, JP, Moussay, S. (2007) *Agir contre les discriminations dans l'emploi, Agir pour la diversité dans l'entreprise*. Etude de l'Institut Régional du Travail de Midi-Pyrénées.
- Jobert, A., Saglio, J. (2004) Re-establishing Collective Bargaining in France? In: *Travail et Emploi*, N°100 October.
- Johnson, L., Johnstone, S. (2004) The legal framework for diversity. In: Kirton, G. and Greene A. M. *The Dynamics of Managing Diversity: A Critical Text*, Butterworth-Heinemann.
- Kamp, A., Hagedorn-Rasmussen, P. (2004) 'Diversity Management in a Danish Context: Towards a Multicultural or Segregated Working Life?' In: *Economic and Industrial Democracy* 25(4): 525-554.
- Kandola, R., Fullerton, J. (1998) *Managing the Mosaic: Diversity in Action*, London: Institute of Personnel and Development (IPD).
- Kirton, G., Greene, A.M. (2006) The Discourse of Diversity in Unionised Contexts: Views from Trade Union Equality Officers. In: *Personnel Review* 35(4): 431-448
- Kirton, G., Greene, A-M., Dean, D. (2005). *Professional Perspectives on Diversity Management*. Report from ESF Project: Involvement of Stakeholders in Diversity management.
- Kirton, G., Greene A. M. (2004) *The Dynamics of Managing Diversity: A Critical Text*, Butterworth-Heinemann.
- Kirton, G., Greene A. M. (2002) The dynamics of positive action in UK trade unions: the case of women and black members. In: *Industrial Relations Journal* 33(2): 157-172.
- Latraverse, S. (2004) *Report on measures to combat discrimination, Directives 2000/43/EC and 2000/78/EC, Country Report France*. For the European Network of Legal Experts in the non-discrimination field
http://www.migpolgroup.com/multiattachments/3480/DocumentName/frrep05_en.pdf
 Accessed 01.08.2007
- Laufer, S., Silvera, R. (2005) *Accords sur l'égalité professionnelle suite à la loi du 9 mai 2001 : premiers éléments d'analyse*. Emergences, Paris.
- Liff, S. (1999), 'Diversity and equal opportunities: Room for a constructive compromise?' In: *Human Resource Management Journal*, 9(1): 65-75.
- Liff, S. (1997), 'Two routes to managing diversity: individual differences or social group characteristics'. In: *Employee Relations*, 19(1): 11-26
- Liff, S., Wajcman, J. (1996) "Sameness" and "difference" revisited: which way forward for equal opportunity initiatives? In: *Journal of Management Studies*, 33(1) : 79-95.
- Mahajan, G (2007) Multiculturalism in the Age of Terror: Confronting the Challenges. In: *Political Studies Review* 5(3): 317-336.
- Meynaud, H. (2007) *Le comptage de la différence des origines en entreprise en France et en Grande-Bretagne: outil de gestion pour l'équité ou vecteur de racialisation des*

- phénomènes sociaux ? Enjeux théoriques et méthodologiques de la diversion*. 11th Biennial French Sociology of Work Conference, London, 20-22 June 2007
- Mor Barak, M. (2005) *Managing Diversity, toward a globally inclusive workplace*. Sage.
- Observatoire du communautarisme (2004) *Les essais de l'Institut Montaigne pour imposer la discrimination positive*. 3 November http://www.communautarisme.net/Les-essais-de-l-Institut-Montaigne-pour-imposer-la-discrimination-positive_a310.html?print=1 Accessed 19.08.2007
- Oikelome, F. (2006). Professional insights: An exploration of “Working against racism: the role of trade unions”. In: *Equal Opportunities International* 25(2): 142-145.
- Parsons, N. (2005). *French Industrial Relations in the New World Economy*. London, Routledge.
- Peretti, JM (ed) (2007) *Tous différents, gérer la diversité dans l'entreprise*. Eyrolles, Paris.
- Prasad, P., Pringle, J., Konrad, A. (2006) Introduction. In: Prasad, P., Pringle, J., Konrad, A. (eds) *Handbook of workplace diversity*. Sage.
- Prudhomme, L., Bournois, F. (2007) La diversité des âges et le choc générationnel. In: Peretti, JM (ed) *Tous différents, gérer la diversité dans l'entreprise*. Eyrolles, Paris
- Sabeg, Y. (2006) *La diversité dans l'entreprise, comment la réaliser?* Institut Manpower. Eyrolles, Paris.
- Sabeg, Y. (2004) *La discrimination positive : pourquoi la France ne peut y échapper*. Calmann Levy
- Simon, P. (2007) Statistiques ethniques : pourquoi une telle controverse sur les catégories ethniques ? In : La Documentation Française, *Regards sur l'actualité* no. 327 janvier.
- Vink, M.P. (2007) Dutch ‘Multiculturalism’ Beyond the Pillarisation Myth. In: *Political Studies Review* 5(3): 337-350
- Viprey, M. (2005) *New initiatives on fighting discrimination in the workplace*, EIRO, FR0412103F
<http://www.eiro.eurofound.ie/2004/12/feature/fr0412103f.html> Accessed 01.8.2007
- Voynet-Fourboul et al (2007) La diversité du genre et l'égalité professionnelle. In: Peretti, JM (ed) *Tous différents, gérer la diversité dans l'entreprise*. Eyrolles, Paris.
- Woodhams, C. Danieli, A. (2003) Analysing the operation of diversity on the basis of disability. In: Davidson, M., Fielden, S. (eds) *Individual diversity and psychology in organisations*. John Wiley & Sons.
- Wrench, J. (2005) Diversity Management can be Bad for You. In: *Race and Class* 46(3): 73–84.
- Wrench, J. (2004) *Breakthroughs and blind spots: Trade union responses to immigrants and ethnic minorities in Denmark and the UK*, Fafo.
- Wrench, J. (2003). Managing Diversity, fighting racism or combating discrimination? A critical exploration. Council of Europe and European Commission Research Seminar *Resituating Culture – Reflections on Diversity, Racism, Gender and Identity in the Context of Youth*, Budapest 10-15 June 2003.
- Wrench, J. (2002) *Diversity management, discrimination and ethnic minorities in Europe. Clarifications, critiques and research agendas*, ThemES No.19, Mångfaldens Praktik, Centre for Ethnic and Urban Studies, Norrköping.