ETUC SOCIAL PROJECT - SURVEY FOR NATIONAL CONTACT PERSONS

Trade Union report for Latvia

National Trade unions that participated in the survey: LBAS

This survey, for completion by the National Contact Persons on behalf of their trade union, is an important source of the qualitative and quantitative information required for the ETUC’s SociAll Project. This is in addition to the extensive information about each countries’ pension system that will already be available to the National Experts from established national and international sources.

The survey will provide the National Experts with:

- Background information, specifically from a trade union perspective, about the country’s pension system and attitudes to recent trends in pension provision;
- To outline the challenges in the sphere of pension provision that have been identified by trade unions; and
- Set out the trade unions’ priorities and proposals.

The survey is divided into three sections that are summarised in Table 1 below. These relate to the corresponding sections of the National Reports, as outlined in the Methodological Note. Section 4 of the National Reports will also be informed by the information that is provided.

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Section 1. The Country’s Pension System

This section of the survey covers the current situation, including questions on the trade unions’ views on the strengths and weaknesses of prevailing national pension system. It also asks questions on the content and the expected effects on the country’s pension system of recent reforms and those currently under active discussion. It should be taken that the National Experts are already familiar with the country’s existing pension system and current issues. The status of the current reforms should be identified as follows:

- **Completed Reforms**, i.e. those implemented since 2010
- **Planned reforms**, i.e. almost certain to be adopted, i.e. having gained enough political support and formulated as draft legislation
- **Reforms under active discussion**, i.e. those that are under discussion, with an indication of the likelihood that the reform will be adopted.

QUESTIONS

GENERAL OVERVIEW

Role of Social Partners in general and trade unions in shaping pension reforms

Q 1.1

Can you describe how trade unions in particular and social partners in general are involved in the pension policy debate and decision-making process in your country and how does the involvement take place (involvement in bipartite/tripartite institutions, consultation by government/parliament, negotiations)?

Together with the government and Latvian Employers’ Confederation, Free Trade Union Confederation of Latvia (LBAS) participates in the National Tripartite Cooperation Council (NTSP). Currently, 7 sub-councils are actively operating in the institutional system of the NTSP, according to the range of issues to be considered in them. One of the sub-councils is the Social Security Tripartite Cooperation Sub-Council. Although the Sub-Council has a rather consultative role, it discusses all current social security issues. There are also several committees and councils in the field of social security, for example, Social Inclusion Policy Coordination Committee with wide range of actors, including the social partners.

Trade Unions participates in the development of economic and social development programmes, in the evaluation of draft laws, in working groups on improvement of labour conditions, salaries, tariff policies, compulsory social insurance and social guaranties, healthcare as well as employment.
Q. 1.2

Which is the trade union role in the latest pension reform processes (implemented and under discussion)? Provide your own assessment (major role, marginal role, total exclusion) and few examples in case of influence

Trade unions have a rather moderate role to play. However, when it comes to pensions and possible changes in the pension system, trade unions demonstrate a more active role than in matters such as unemployment. It should be taken into account that we have service pensions for a number of categories of workers, and this is at the top of trade unions agenda (in the field of pensions). In addition, the Latvian Federation of Pensioners plays an active role. Trade unions (LBAS) participated in OECD Review of pension system where in September 2017 there was an interview with representatives of OECD. The representatives of OECD were particularly interested in service pensions, as they are not common in other countries. Trade unions argued their position on service pensions and why service pensions are an essential part of the whole pension system.

Q. 1.3

Provide a general assessment of the extent to which the existing pension system addresses the needs of current and future retired people in your country, indicating where and why it falls short.

A general assessment will be enough, as a more detailed section on challenges will follow.

The main problem with the pension system is low adequacy. According to the Central Statistical Bureau 70.50% of all pensioners received an old-age pension of up to 400 euro which is below the poverty line (the poverty threshold was 409 euro in 2018). 14.4% of all pensioners received an old-age pension from 400.01 euro to 500 euro, 12.9% of all pensioners received an old-age pensions from 500.01 up to 1000 euro. Only 2.17% of all pensioners received pensions above 1000 euro. In comparison, minimum wage is 430 euro (2020), but the average gross salary was 1076 euro (net 793 euro per month) in 2019. It is worth mentioning that pensions are subject to personal income tax.

Q. 1.4

a. What are the main principles and policy drivers that inspired the design of the pension system under analysis? Are they still valid?

The Latvian pension system is assessed as one of the best pensions systems in the world (The Latvian pension system is recognized as one of the ten best in the world in the Pension Sustainability Index (PSI) compiled by the German asset management company Allianz Global Investors) however it is an assessment of the design and sustainability of system, not an assessment on pensions levels and adequacy. The
latest significant reform of Latvian pensions system was carried out on 2014 when retirement age was gradually increased from 62 to 65 (to be reached in 2025). From 1 January 2019, in the case of the death of pension recipient, the surviving spouse, who is the recipient of the old-age, disability, service or special state pension, can receive an allowance in the amount of 50% of the pension granted to the deceased spouse. From 2020, pension capital in the second pillar (state-funded pensions) can be inherited.

b. Is the European Pillar of Social Rights and the recent European Council’s Recommendation on Access to social protection for workers and the self-employed\(^1\) shaping the debate on pensions?

No.

c. Within trade unions?

To a very low extent.

d. In bipartite or tripartite social dialogue?

No.

Q. 1.5

Summarise the trade unions’ views on the state of the country’s pension system debate in terms of the balance between financial sustainability and social adequacy, coverage and effectiveness.

Trade unions emphasize the low social adequacy of old-age pensions. The issue of an aging population is becoming increasingly important. Although there is a very large savings in the social budget, no one can predict the sustainability of the budget (at the request of trade unions).

Another issue which is becoming increasingly important is social adequacy and coverage of non-standard workers (micro-enterprise tax payers in Latvia) and the self-employed. Although non-standard workers (micro-enterprise tax payers) and self-employed are not the direct target audience of trade unions (they are not members of trade unions), their social adequacy and coverage are part of the whole social security system. In addition, trade unions participate in a number of councils that discuss changes to the social security system and taxation policy. The low social adequacy and coverage of non-standard workers and the self-employed especially during COVID-19 pandemic raised many questions.

\(^1\) https://ec.europa.eu/social/main.jsp?catId=89&furtherNews=yes&langId=en&newsId=9478
Q. 1.6

Summarise completed reforms (as defined above) and indicate the trade union’s assessment (if any) of their impact on the adequacy, coverage, and effectiveness of pension provision?

The level of newly granted pensions is increasing every year, however it is still below the poverty line (according to the State Social Insurance Agency the recently granted pension in April 2020 was 384 euro which is 32 euro more than a year before in the same period). Since the mid-2000s, the poverty rate increased by 10 percentage points among people older than 65 in Latvia while it decreased slightly for younger age groups.

In addition, shadow economy is the highest among the three Baltic States. It is estimated that shadow economy in 2019 was 23.9% of GDP, of which 44.1% was envelope wages. Consequently, the high shadow economy and envelope wages have a major impact on the social security budget and future social adequacy of envelope wage earners.

Q. 1.7

Summarise reforms and those under active discussion (as defined above) and indicate the trades union’s assessment (if any) of their impact on the adequacy, coverage, and effectiveness of pension provision?

Although retirement age was raised in 2014, there is still many discussions about the aging of society and the workforce. Trade union always argues that retirement age cannot be seen separately from access to health care services, life expectancy and quality of life.

Labour market policy is an additional element in the context of an aging workforce, as employers try to find ways to make labour market more accessible to third-country nationals and in some cases they have success (trade unions are opposed to not well considered policies regarding the migrant workers).
Section 2. Current challenges

This section of the survey is about the trade unions’ perception of the main socio-economic and demographic challenges that affect the present state and future of pension provision in terms of coverage effectiveness and adequacy (and the effective implementation of the Recommendation on Access to Social Protection for Workers and the Self-Employed).

This should cover:

- The issues the trade union regards as the more urgent challenges to pensions; and
- The main social and occupational groups that, in the view of the trade union movement, need greater attention for more effective pension protection.
- The gender dimension of the challenges

The lists of issues provided for certain questions is non-exhaustive and other issues should be covered, if appropriate

QUESTIONS

Main Challenges

Q. 2.1

a. What are, in general, the main social challenges in pension provision with respect to the social and economic outlook of your country?

Please consider the needs of people, their rights and living conditions. You can make reference to the topics listed below, noting the relevance in the short, medium and long run, and add some others. Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with data and examples.

- Population ageing
- Poverty rates
- Access to essential services
- Out-of-pocket expenditure for healthcare and long-term care
- Low salaries
- Unemployment
- Increased share of atypical jobs (high rate of involuntary part-time/zero-hour contracts/
- Bogus self-employment
- Sluggish economic performance
- Low average productivity
- Increasing inequalities
- Gender gaps in employment/wages
As mentioned above, the main social challenges are the ageing population and poverty rates. However low pensions are also the result of low salaries. Another aspect could be the low pension replacement rate. According to the estimates of the National Central Bank of Latvia the pension replacement rate is currently about 40%, but it could decrease significantly in the future. There are some suggestions on how to improve the demographic situation, link the retirement age to life expectancy, and improve the governance and operation of the state-funded pensions. In addition, we have low rate of return from state-funded pensions (second pillar). At present, the number of healthy years spent in Latvia after reaching the age of 65 is only one year on average (according to the World Health Organization data), which is one of the lowest indicators in the EU. Actual healthy life expectancy according to Eurostat is lower than the retirement age.

b. Who do these social challenges affect?

There are two categories – future pensioners currently employed as workers and non-standard workers & the self-employed.

c. What are the main reasons for these challenges?

The current regulations of the social security system as for non-standard workers (micro-enterprise tax payers in Latvia) and the self-employed are not fully covered by social security or covered at very low level.

d. Can you please provide data to support your views?

According to Eurostat, in 2019 there were 59.1 thousand self-employed (self-employed persons without employees). However, in the last quarter of 2019, only 29,3 thousand self-employed made social contribution, as the Law “On State Social Insurance” stipulates that the self-employed must pay social security taxes at least on an amount equal to the minimum wage (if income are equal to the minimum wage or above). If the income of the self-employed exceeds the minimum wage, they can choose to pay from the minimum wage or from full amount of income. In fact, 90% of the self-employed pay social security taxes only from the minimum wage. Self-employed, whose monthly income does not reach the amount of the minimum wage – only 5% of this income must be paid to the State Social Insurance Agency for pension insurance (since 2018). By comparison, regular worker makes social
contributions to the pension fund (individual account) in the amount of 24% of their salary (first and second pillar). The number of self-employed making social contributions has increased significantly since the introduction of changes in legislation on 5% social contributions for pension insurance. However, about 30% of the self-employed are at the same time employees covered by full social insurance.

Challenges to Formal coverage

Q. 2.2

Please answer the questions shortly framing the relevant situation(s) in the demographic/social/ macroeconomic context and always keep into account the gender perspective wherever relevant and possible. In your reply, please, consider in particular but not only employees, self-employed and atypical workers, as well as the gender dimension (de facto)

a. Are there any major gaps in formal coverage?

Yes, as mentioned above – they are mainly non-standard workers and the self-employed. There is pension gap by gender – if a man received an average pension of 363 euro in 2019, than a woman received 10% less – 328 euro per month in 2019. There is also an observation that people over the age of 55 will receive less pension as their work salary are lower. Highest work salary is observed in the age group from 25 to 44 years.

b. What categories of workers, i.e. employees, self-employed and atypical workers, are formally excluded from the coverage of pension schemes by reason of their contract, or are only offered voluntary coverage by pension schemes? Which are the main groups (for example migrant, low-skilled, women) affected?

Migrant workers are not a challenge because we do not have significant number of migrant workers. As for the low-skilled, as everywhere the low-skilled are low-paid and that means lower pension. According to Eurostat, those with upper secondary and post-secondary non-tertiary education receive less 37% than those with short-cycle tertiary education and bachelor’s or equivalent level (in Latvia). Trade unions therefore emphasize the role of education and training in improving social coverage and adequacy.

c. What determines/ how would you explain these gaps in formal coverage?

One reason is gaps in labour tax policy.

With the financial support of the European Union
d. What are their main social consequences/impact?

_Gaps in social coverage in terms of the sustainability of the social budget may affect not only those who are currently not fully covered by social security system, but also regular workers. However, there are no estimates (at least not available to trade unions) and long-term social security budget projections, taking into account the ageing population, labour market trends and those not fully covered by social security (except estimates made by European Commission, Ageing Report)._ 

e. Do you see issues for fiscal sustainability of a system covering people in all forms of employment?

_Please see answer above._

f. Please provide data

_According to the State Social Insurance Agency, at the end of 2019, the social budget had a savings of 1.12 billion euro. For comparison, expenditure on pensions in 2019 was equal to 2.15 billion euro and on unemployment benefits – 131.9 million euro. The revenue of the social budget in 2019 was 3.05 billion euro, and it was estimated that one year could save 299.5 million euro._

**Challenges to Effective coverage**

Q. 2.3

a. Is it possible to highlight any major _effectiveness issues_?

_Please, consider effects that, for example, possible entitlement conditions, wage levels, contribution levels, may have on non-standard workers, the self-employed, atypical workers, women._

_Although social contributions made from minimum wage could be considered as efficiency issue, in any case the projected pension will be below the poverty line and not sufficient to ensure ageing in dignity. At the same time, according to the Central Statistical Bureau 18.9% received the minimum wage or less in 2019. It means a lower pension in the future._

b. Who do these effectiveness issues affect? Are there categories of workers or self-employed that are at particular risk of limited effective coverage of pension benefits? _You can make reference to the topics and groups listed below, noting the relevance in the short, medium and long run, and add some others. Please, explain your choices_
and, for those that are regarded as the most salient, provide a concise explanation, with data and examples.

- Women
- Younger workers
- Self-employed workers
- Bogus self-employment
- Atypical workers
- Precarious workers
- Agricultural employment
- Working poor
- Migrant workers
- Low skilled workers
- Other

All mentioned in the list, however, should clarify the definition of “younger workers”. According to statistics those who under 25 receive higher work salary than those between age 25 to 54.

c. What are the main causes of the risk of ineffective coverage of workers?
You can make reference to the topics listed below, noting the relevance in the short, medium and long run, and add some others. Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with data and examples.

- Significant lack of transparency in the access to relevant information
- Aggregation of contributions across schemes
- Waiting period
- Calculation rules
- Requirements to access old-age or seniority pensions
- Lack of reconciliation of professional and family life
- Incomplete work careers
- Low wages
- Missing financial capacity to safe in (voluntary) pension schemes
- Others

In some cases, people do not have access to relevant information and even if they do, it does not mean that they can calculate themselves (for example, the information on savings in the first and second pillar can be found separately, etc.).
Incomplete work careers could be the reason for young mothers who do not have sufficient income during maternity leave (but they are covered by social insurance – the state make social contributions during maternity leave due to unemployment,
disability and pensions). However the social contributions are very low (social contributions from 171 euro).
Low wages and low income replacement rate are mentioned above.

d. How far are the following contingencies significant in leading to ineffectiveness of pension provisions? Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with examples.
- Maternity, paternity, parental leave
- Study or training periods
- Sickness
- Unemployment
- Care duties (elderly, children, disabled, etc...)
- Other

The recipient of unemployment benefit is insured by the state for retirement. Consequently, this period complements the length of service. Mandatory contributions from the special employment budget – 20% of the unemployment benefit – are made for the pension insurance of the recipient of the unemployment benefit, the same applies to sickness (20% of sickness benefit is made for the pension insurance). It means that higher pension insurance contributions are made during sickness (as sickness benefit is higher than unemployment benefit).
Consequently, the efficiency is lower in case of maternity leave, when the state makes social contributions in the amount of 20% of 171 euro.

e. What are their major social impacts of ineffective pension provisions?

In case of low pensions, pensioners can apply for other benefits. However, it depends on and affects sustainability of social budget and is always a matter of ethics and morality – after 40 years of service apply for social assistance benefits in the fight against poverty.

f. Do you see issues for fiscal sustainability of a fair and effective social protection system?

One specific recommendation would be to reduce the minimum length of service that allows to receive minimum pension. Currently, the minimum length of service is 15 years. The idea is also supported by the OECD. Another recommendation relates to the rate of return and the efficiency of governance and operation of state-funded pensions (second pillar). Fiscal sustainability should be seen in the context of access to and spending on health care services.
There is also a risk of a decline in the relative value of pensions.

g. Is the lack of transparency or satisfactory information about pension entitlements and obligations limiting effectiveness of pension provision; and, if so, which categories of workers and the self-employed are most affected?

Please see answer above. It applies to all categories.

Challenges to Adequacy

Q. 2.4

a. Is there a prevailing/institutional/constitutional reference or definition of adequacy that is used as standard in your country? How do you define adequacy?

No definition of adequacy available. The Ombudsman has spoken out on this issue. In March 2020, The Ombudsman submitted an application to the Constitutional Court regarding the non-compliance of the amount of the minimum disability pension (adequacy) with the Constitution.

b. Do you use any specific indicator to assess it in your country?

In general, we use an indicator such as the poverty line/ threshold.

c. Please provide the TU’s view of the significance of the two main adequacy indicators used by the Commission (Theoretical Replacement Ratio/TRR; Aggregate Replacement Ratio/ARR – Pension Adequacy Report - PAR 2018).

Please see answer above about the pension replacement ratio. The trade union is of the opinion that faster wage growth would be needed to increase social contributions to the social budget.

d. How would you define “ageing in dignity”?

There should be a social system which provides adequate income, regardless of unemployment, sickness or retirement.

e. Do you have in mind any specific indicator that could help in assessing “ageing in dignity” in your country?

Not yet, there have been no discussions.
f. What are the major deficiencies (if any) in the provision of adequate pensions?

*Please see answers above.*


g. What determines these deficiencies?

*You can make reference to the topics listed below, noting the relevance in the short, medium and long run, and add some others. Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with data and examples.*

- Lack of provision of minimum pension
- Volatility of complementary pensions
- Low rates of return from funded pensions
- Wage levels
- Contribution levels
- Worked hours
- Repartition of contributory obligations on employer/employee
- Length/continuity of careers
- Purchasing power erosion
- Lack of indexation
- Cost of living
- Services for old age provided publicly/without out of pocket expenses
- Need of personal/private (out-of-pocket-expenses) for health and long-term care
- Others

Although we have a minimum pension, it is significantly below the poverty line. Low rates of return from funded pensions, wage levels, length/continuity of careers, purchasing power erosion were mentioned before. The high share of the shadow economy should be noted.

h. **Who** do these deficiencies affect? Please, consider employees, self-employed and atypical workers

*Deficiencies affect almost everyone, with the exception of contributions levels which particularly affect the self-employed and non-standard workers.*

i. What are the major social impacts of these deficiencies?
According to the survey conducted by the Labour State Inspectorate, for about half of the self-employed, the average monthly income from self-employment after taxes is less than or close to the minimum wage.

According to the survey, the self-employed are not motivated to make higher social contributions, especially to receive higher pension in the future. One of the reasons is the low motivation and willingness to pay taxes, which is related to the prevailing disbelief in society in general about the fair distribution of taxes. In general, the self-employed are satisfied with the chosen form of employment. According to results of survey, 78% of respondents indicate that they are satisfied (fairly satisfied or very satisfied) to work as self-employed. Satisfaction with working as a self-employed person is mostly determined by such factors as freedom of action and personal independence, as well as the opportunity to create good and safe working conditions and an orderly working environment.

Do you see issues for fiscal sustainability of a fair and adequate social protection system?

Trade unions are opposed to raising labor taxes, but one solution would be to reduce personal income tax by increasing social security contributions at its expense. At the same time, trust in the social security system needs to be strengthened.

Other challenges

Q. 2.5

What are the challenges and the opportunities related to occupational pension policy/schemes concerning their contribution to formal coverage, effective coverage, adequacy (and transparency) of pension systems?

There are several groups who can apply for occupational pension (in our legislation called as service pension). The State Audit Office of the Republic of Latvia several times tried to achieve a review of service pension system. The last report was presented in spring 2020 with statement that “with the ever-expanding range of recipients of service pensions, future liabilities have reached at least 4.5 billion euro”. However, the methodology for this calculation is not really clear, besides this amount characterizes the long-term state liabilities for service pensions. According to the trade unions, it would be worth to assess the budgetary impact of service pensions, it is more important to look at the part of the service pension budget allocated per year, which is EUR 53.9 million for 2020. By comparison, old-age pensions expenditure is estimated at 2.35 billion euro for 2020.
For example, one of the groups receiving service pensions is seafarers. The introduction of a long-service pension for seafarers was based on the nature of the work (continuous work cycle and increased intensity resulting in six months of seafarer's annual working hours on board) and on a set of harmful factors to which seafarers are exposed for a long time (noise, vibration, strong electromagnetic radiation, exposure to toxic substances both in the operation of the ship and in the transport of dangerous and noxious goods).

Another group – State Emergency Medical Service staff when providing emergency medical care to the population, perform special risk-related work in conditions of increased psychological and physical load, which the employer cannot prevent with work safety measures.

Service pensions play an important role in compensating both for the loss of income of those employees who are unable to perform their current job, and in covering the expenses that may arise in the event of various health problems and their prevention. Trade unions would be ready to start a debate on service pensions – whether or not a change in the service pension system is needed, only when they see substantial increase in wages and social guarantees.

Q.2.6
Is there any other particular (set of) challenge(s) that you deem key or that should be addressed as a priority in order to give impetus to upward convergence?

a. Please, explain the reasons of your answer.

A complex issue that starts with labour market policy and ends with the need to improve the public administration governance. The impact of digitalisation and automation on the labor market must also be taken into account.

b. Please provide data.

n/a

Q.2.7
How is the Covid 19 emergency impacting your priorities?

Unemployment issues have become more relevant. However, all social issues are interrelated. The unions insist on increasing the duration and amount of unemployment benefit payments as it was in 2019 before the changes in early 2020. The low social adequacy and coverage of non-standard workers and the self-employed especially during COVID-19 pandemic become more visible.
Section 3. Possible Reforms

This section seeks information about the trade union’s priorities in pension policy; and their involvement in the policy making process and the strategies to have more adequate and effective pension protection for all. The examples given under each question are for assistance and other issues should be covered, when appropriate.

QUESTIONS

Q. 3.1

What are the main demands/actions/reforms that the trade unions propose in order to meet the challenge(s) highlighted in the answers to Section 2?

Provide a concise description from those listed below, plus any other that you consider relevant in light of your replies in the previous set of questions. Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with examples.

- Minimum schemes
- Employment related or income-based schemes
- Occupational pension provision
- Pensionable age and early retirement schemes
- Regulation of the labour market and active labour market policies
- In-kind benefits, long-term care and social assistance
- Other

Please, explain also how the proposed reform would address the challenge(s) identified in your replies to the previous set of questions.

- keeping in mind the possible effects linked to age groups/ gender/ forms of employment and
- providing an assessment and considering effects of main issues from the topics listed below, in the light of your replies in the previous section, plus any other that you consider relevant. Please, explain your choices and, for those that are regarded as the most salient, provide a concise explanation, with examples.

- Formal coverage for specific categories of workers and self-employed
- Effective coverage
- Adequacy of benefits
- Inequalities (gender pension gaps, pension rights of younger cohorts of workers, coverage of atypical jobs)
- Other:
Trade unions mainly propose to keep current pensionable age and early retirement schemes, as well as to keep occupational (service) pension provision. The reasons are explained in the previous sections.

Q 3.2

What would be the main fiscal sustainability drivers necessary to support your policy proposals? What would be the issues arising? What the desirable sources of financing?

As mentioned above, the trade union is of the opinion that faster wage growth would be needed to increase social contributions to the social budget. Higher social contribution revenues should be a key driver of fiscal sustainability. It also means activating labour market policies in the fight against shadow economy and envelope wages (one example is sectoral collective agreements, which set a minimum wage at sectoral level – the case of Latvia in the construction sector).

Q.3.3

Are there any major actors supporting or opposing your proposal and why?

The key players would be employers at national, sectoral and enterprise level. With regard to the labour market and social policy, the relevant ministries are the main actors.

Finally, it is important to mention that the main driving force and strength of trade unions are their members and all workers.