

2015 CRISIS AND COLLECTIVE BARGAINING IN ARGENTINA: NEGATIVE NEGOTIATION AS A GOVERNMENT STRATEGY

CRISE DE 2015 E NEGOCIAÇÃO COLETIVA NA ARGENTINA: A NEGOCIAÇÃO NEGATIVA COMO ESTRATÉGIA DO GOVERNO

CRISIS DE 2015 Y NEGOCIACIÓN COLECTIVA EN ARGENTINA: LA NEGOCIACIÓN NEGATIVA COMO ESTRATEGIA DEL GOBIERNO



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ABSTRACT

This study analyzes the impacts of the 2015 economic crisis in Argentina on collective bargaining, with an emphasis on the strategy of "negative collective bargaining," defined as the deliberate limitation of wage demands and the capacity for union pressure due to restrictive macroeconomic targets. It hypothesizes that, in a context of high inflation and economic slowdown, the State intervened restrictively in negotiations, imposing limits on wage increases, especially in strategic sectors (Actis & Creus, 2015; Etchemendy & Collier, 2007). The research is qualitative, based on a literature review and document analysis, including classic and contemporary studies on labor relations and union data (Gramsci, 1991; Hyman, 1981; Kelly, 1998; Marticorena, 2014). The results indicate that collective bargaining was not eliminated, but reconfigured as a space for dispute, in which the government disciplined union action and controlled the dynamics of labor conflicts. Despite the restrictions, unionism maintained its leading role, especially at the grassroots level, demonstrating the persistence of collective mobilization as a mechanism of resistance.

Keywords: Collective Bargaining. Economic Crisis. Trade Unionism. Argentina. Labor Relations.

RESUMO

Este estudo analisa os impactos da crise econômica de 2015 na Argentina sobre a negociação coletiva, com ênfase na estratégia de "negociação coletiva negativa", definida como a limitação deliberada das demandas salariais e da capacidade de pressão sindical em função de metas macroeconômicas restritivas. Parte-se da hipótese de que, em um contexto de alta inflação e desaceleração econômica, o Estado interveio restritivamente nas negociações, impondo limites aos aumentos, especialmente em setores estratégicos (Actis & Creus, 2015; Etchemendy & Collier, 2007). A pesquisa é qualitativa, baseada em revisão bibliográfica e análise documental, incluindo estudos clássicos e contemporâneos sobre relações laborais e dados sindicais (Gramsci, 1991; Hyman, 1981; Kelly, 1998; Marticorena, 2014). Os resultados indicam que a negociação coletiva não foi eliminada, mas reconfigurada como espaço de disputa, no qual o governo disciplinou a ação sindical e

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controlou a dinâmica dos conflitos laborais. Apesar das restrições, o sindicalismo manteve protagonismo, especialmente nas bases, mostrando a persistência da mobilização coletiva como mecanismo de resistência.

Palavras-chave: Negociação Coletiva. Crise Econômica. Sindicalismo. Argentina. Relações de Trabalho.

RESUMEN

Este estudio analiza los impactos de la crisis económica de 2015 en Argentina sobre la negociación colectiva, con énfasis en la estrategia de "negociación colectiva negativa", definida como la limitación deliberada de las demandas salariales y la capacidad de presión sindical debido a objetivos macroeconómicos restrictivos. Se plantea la hipótesis de que, en un contexto de alta inflación y desaceleración económica, el Estado intervino de forma restrictiva en las negociaciones, imponiendo límites a los aumentos salariales, especialmente en sectores estratégicos (Actis & Creus, 2015; Etchemendy & Collier, 2007). La investigación es cualitativa, basada en una revisión de la literatura y análisis documental, incluyendo estudios clásicos y contemporáneos sobre relaciones laborales y datos sindicales (Gramsci, 1991; Hyman, 1981; Kelly, 1998; Marticorena, 2014). Los resultados indican que la negociación colectiva no fue eliminada, sino reconfigurada como un espacio de disputa, en el que el gobierno regulaba la acción sindical y controlaba la dinámica de los conflictos laborales. A pesar de las restricciones, el sindicalismo mantuvo su papel protagonista, especialmente a nivel de base, demostrando la persistencia de la movilización colectiva como mecanismo de resistencia.

Palabras clave: Negociación Colectiva. Crisis Económica. Sindicalismo. Argentina. Relaciones Laborales.

1 INTRODUCTION

Collective bargaining has consolidated itself as the main instrument for regulating labor relations in Argentina after the 2001 crisis, especially during the period of economic growth between 2003 and 2015. This period was marked by the expansion of parity negotiations, the strengthening of union coverage and the centrality of wage demands, evidencing the protagonism of organized workers and the institutionalization of labor conflict (Etchemendy & Collier, 2007; Atzeni & Ghigliani, 2013; CIFRA, 2017).

According to Vázquez y Medina (2020), the years of growth were accompanied by relatively stable GDP rates and moderate inflation levels, albeit with some fluctuations, setting the stage for the 2015 crisis.

From a theoretical point of view, the analysis of industrial relations can be enriched with critical approaches. Gramsci (1991) contributes to the understanding of the role of the State in mediating social conflicts, while Hyman (1981) emphasizes the political character of labor relations. Kelly (1998) highlights the centrality of collective mobilization in the dynamics of the conflict, and Marticorena (2014; 2015), Varela (2015) and Palomino (2008) highlight the link between trade unionism and recent economic policies in Argentina. Empirical studies also indicate the relevance of grassroots organizations and the complexity of segmented neo-corporatism in the country (Trajtemberg et al., 2012; MTESS, 2016; ODS-CTA Autónoma, 2016; Senén González et al., 2010; Womack, 2008).

From 2015 onwards, a turning point was configured, marked by the change in economic orientation and the active role of the State in redefining the limits of union action. The sustained increase in inflation, combined with the stagnation or contraction of economic activity, has put pressure on real wages and on traditional collective bargaining mechanisms. In this context, the government implemented the strategy of "negative negotiation", characterized by the deliberate limitation of wage demands and union achievements, in a context of growing macroeconomic instability (Actis & Creus, 2015; Actis, Lorenzini & Zelicovich, 2016; Adamson, 2002; Alfaro, 2015; Allami, 2012, 2013; Andritzky, 2006; Alvarez & Adelardi, 2015; Altimir & Devlin, 1992).

The objective of this study is to analyze the transformations in collective bargaining in the context of the 2015 crisis, highlighting the role of the State in containing wage demands and reconfiguring labor relations, considering the impact of economic policies, government strategies and union mobilization in a period of intense macroeconomic tension.

2 THEORETICAL FRAMEWORK

The analysis is based on critical approaches to labor relations. Antonio Gramsci (1991) contributes to the understanding of the role of the State in the mediation of social conflicts, highlighting the influence of power structures and hegemony in the regulation of labor relations. Richard Hyman (1981) emphasizes the political character of labor relations, stressing that collective bargaining and union conflicts are deeply influenced by state political decisions and strategies. In turn, John Kelly (1998) highlights the centrality of collective mobilization in the dynamics of conflict, reinforcing the idea that organized union action is fundamental for the definition of working conditions.

In the Argentine case, several studies show that collective bargaining functioned as a mechanism for institutionalizing conflict, articulating the relations between the State, unions, and capital (Marticorena, 2014, 2015; Atzeni & Ghigliani, 2013; Etchemendy & Collier, 2007; Varela, 2015). Research indicates that, even in periods of economic growth and expansion of collective bargaining, tensions persist between state interests, union action and economic demands, evidencing a segmented model of neo-corporatism, in which different sectors of the union movement have different levels of influence and negotiation capacity (Trajtemberg et al., 2012; MTESS, 2016; ODS-CTAAutónoma, 2016; Senén González et al., 2010; Womack, 2008).

This critical perspective allows us to understand collective bargaining not only as a technical instrument of wage adjustment, but as a space of political and social dispute, in which government strategies, workers' mobilization and articulation between different economic and institutional actors are articulated (Palomino, 2008; CIFRA, 2017; Actis & Creus, 2015; Actis, Lorenzini & Zelicovich, 2016).

3 CONTEXT OF COLLECTIVE BARGAINING IN ARGENTINA (2003–2015)

Between 2003 and 2015, collective bargaining in Argentina went through a period of significant expansion, characterized by four central dimensions: the reactivation of parity negotiations, the expansion of union coverage, the centrality of wage demands, and the institutionalization of labor conflict. For example, during this period, strategic sectors such as metallurgical, chemical and transport resumed periodic wage negotiations, while unions such as the Asociación de Trabajadores del Estado (ATE) and the Unión de Personal Civil de la Nación (UPCN) were able to expand their base of representation, ensuring greater coverage in public and state bodies (Etchemendy & Collier, 2007; Atzeni & Ghigliani, 2013).

This period highlights the articulation between economic growth and the strengthening of labor institutions. Between 2003 and 2007, the country presented GDP growth rates of more

than 8% per year, accompanied by expansion of formal employment and relative stability of real wages, creating a favorable scenario for collective bargaining (CIFRA, 2017). The centrality of wage demands was manifested in sectoral agreements that included not only wage increases, but also productivity bonuses and improvements in working conditions in industries such as steel and petrochemicals, demonstrating the relevance of negotiations as a mechanism for economic redistribution (Trajtemberg et al., 2012; Senén González et al., 2010).

The protagonism of organized workers reflected a segmented model of neo-corporatism, in which different sectors of the union movement had different levels of influence and negotiation capacity. Unions with a greater historical presence and structured organization, such as the CGT (Confederación General del Trabajo), were able to push for consistent increases and for the incorporation of wage indexation clauses, while more peripheral sectors faced limitations in representation and impact on agreements (Womack, 2008).

Previous studies also highlight that collective bargaining functioned as a mechanism for institutionalizing conflict, articulating the relations between the State, unions and capital. For example, agreements in the public sector often resulted from direct mediation by state agencies, while in private industry negotiations were mediated by business chambers and union federations, demonstrating the complexity of the interaction between actors and the regulatory role of the state (Marticorena, 2014, 2015; Varela, 2015; Palomino, 2008).

In short, the period between 2003 and 2015 not only expanded the scope of collective bargaining, but also consolidated it as a central space for dispute and social articulation, reflecting both the relative strength of unions and the capacity of the State to structure labor conflict within institutionalized parameters.

4 THE 2015 CRISIS AND NEGATIVE NEGOTIATION

From 2015 onwards, with the change in the government's economic orientation, there was a significant reconfiguration of labor relations in Argentina. This period was marked by the implementation of the so-called "negative negotiation", characterized by explicit strategies of wage restraint and union discipline. Among its main manifestations are:

- The imposition of strict limits on wage increases, often below real inflation, as occurred in strategic sectors of industry and public transport;
- The direct intervention of the State in negotiations, mediating agreements between unions and employers, often conditioning the approval of collective agreements to the containment of wage expenditures;

- the promotion of wage agreements that did not fully compensate for the loss of purchasing power, reflecting a deliberate policy of containing labor costs;
- The weakening of the capacity for union pressure, through regulations, restrictions on mobilization and limitation of the participation of the rank and file in sectoral negotiations (Actis & Creus, 2015; Actis, Lorenzini & Zelicovich, 2016; Adamson, 2002; Alfaro, 2015; Allami, 2012, 2013; Andritzky, 2006; Alvarez & Adelardi, 2015; Altimir & Devlin, 1992).

In this context, the State assumed a disciplinary role, prioritizing macroeconomic stability over the recomposition of workers' wages, reflecting a logic in which collective agreements ceased to be instruments of redistribution and began to operate as mechanisms to contain union demands.

Sectors such as transportation, energy, and public administration recorded negotiations in which average increases did not exceed 10% per year, despite inflation rates above 20%, evidencing the mismatch between wage growth and real inflation. In addition, the government used measures such as the imposition of wage caps and mandatory conflict mediation to limit strikes and pressure for more significant increases, demonstrating the strategic use of collective bargaining as an instrument of economic policy (Actis & Creus, 2015; Marticorena, 2014; Varela, 2015).

"Negative bargaining" transformed the dynamics of labor relations, shifting the balance between workers, unions, and the State, and signaling that, in contexts of macroeconomic instability and containment policies, collective bargaining functioned more as an instrument of regulation and discipline than as a mechanism for expanding rights.

5 IMPACTS ON UNIONISM

The implementation of the "negative negotiation" strategy has had significant effects on Argentine trade unionism. Among the main impacts are the reduction in the bargaining power of unions, especially in strategic sectors such as transport, energy and public administration, where the historical unions have had their ability to impose substantial wage increases limited by the government and the employers' chambers. In addition, there was an increase in labor conflict, with episodes of partial strikes, protests, and grassroots mobilizations that sought to compensate for the restriction of formal increases (Etchemendy & Collier, 2007; MTESS, 2016).

In some sectors, such as health and education, the weakening of the central union leaderships led to a greater role of the rank-and-file, which began to press directly for wage increases and better working conditions, even in fragmented and localized contexts. This dynamic contributed to the fragmentation of the trade union movement, evidenced by the

multiplication of smaller unions and internal dissidence within historical confederations (Atzeni & Ghigliani, 2013; ODS-CTA Autónoma, 2016; Varela, 2015).

Despite these restrictions, collective bargaining remained a central space for dispute, albeit under more limited conditions. Even in a context of economic restraint, unions continued to play a relevant political and social role, acting as mediators between workers, the State and capital, and as channels of demands that influenced government decisions and sectoral public policies (Etchemendy & Collier, 2007; Atzeni & Ghigliani, 2013; MTESS, 2016; ODS-CTA Autónoma, 2016; Varela, 2015).

6 METHODOLOGY

This study adopts a qualitative approach, centered on the critical analysis of collective bargaining in Argentina, focusing on the transformations that occurred during the period from 2003 to 2015 and on the reconfiguration of labor relations from 2015 onwards, marked by the implementation of the "negative negotiation" strategy.

The research is mainly based on literature review and documentary analysis. Classical and contemporary academic studies on labor relations were used (Gramsci, 1991; Hyman, 1981; Kelly, 1998; Marticorena, 2014, 2015), as well as institutional reports, official data on collective bargaining, wage statistics and publications by trade union organizations (CIFRA, 2017; MTESS, 2016; ODS-CTA Autónoma, 2016). The analysis also included case studies on strategic sectors of the Argentine economy, allowing the identification of patterns, strategies and effects of state and union action.

The methodological approach prioritizes the dialogue between theory and empiricity, articulating concepts of segmented neo-corporatism, union mobilization, and state intervention, in order to understand both the formal mechanisms of collective bargaining and the underlying dynamics of social and political conflict. The analysis sought to identify recurrent elements that evidence the institutionalization of the conflict, the centrality of wage demands and the relationship between macroeconomic stability and the negotiation capacity of unions.

The research also adopts a historical-comparative character, contextualizing the expansion of collective bargaining between 2003 and 2015, the impact of the 2015 crisis and the state response in the form of "negative bargaining". This approach allows us to understand the evolution of the labor relations system, highlighting concrete examples of wage policies, sectoral agreements and union strategies.

Finally, the methodology applied guarantees a critical and detailed analysis of the theme, articulating multiple sources of information and allowing the evaluation of the interactions

between the State, unions and capital, as well as the effects of economic policies on collective bargaining and Argentine unionism.

7 RESULT AND DISCUSSION

The results indicate that, between 2003 and 2015, collective bargaining in Argentina was consolidated as the main mechanism for regulating labor relations, promoting the institutionalization of conflict and strengthening the role of organized unions. The analysis of historical data and case studies reveals that the reactivation of parity negotiations, the expansion of union coverage, and the centrality of wage demands allowed strategic sectors, such as metallurgy, transportation, and public services, to negotiate consistent wage increases, bonuses, and improvements in working conditions, strengthening the pressure capacity of the union rank and file (Etchemendy & Collier, 2007; Atzeni & Ghigliani, 2013; CIFRA, 2017; Trajtemberg et al., 2012; Senén González et al., 2010; Womack, 2008).

From 2015 onwards, there was a reconfiguration of the labor scenario, marked by the adoption of the "negative negotiation" strategy. The results indicate that this policy reduced the bargaining power of unions, promoted wage agreements below inflation and weakened the capacity for union pressure. In sectors such as public transport and public administration, average wage increases did not exceed 10% per year, while inflation exceeded 20%, evidencing the discrepancy between wage gains and cost of living (Actis & Creus, 2015; Actis, Lorenzini & Zelicovich, 2016; Adamson, 2002; Alfaro, 2015).

The analysis also reveals that, even under restrictive conditions, unionism has not been eliminated. On the contrary, in some sectors there was a greater role of the rank-and-file, which assumed an active role in negotiation and mobilization, resulting in the fragmentation of the trade union movement and an increase in labor conflict (Etchemendy & Collier, 2007; Atzeni & Ghigliani, 2013; MTESS, 2016; ODS-CTA Autónoma, 2016; Varela, 2015). These results indicate that collective bargaining continued to be a space for political and social dispute, although under a regime of wage restraint and economic discipline promoted by the State.

The discussion of the results suggests that the 2015 crisis not only changed the dynamics of wage negotiations, but also highlighted the State's capacity to redefine the limits of union action. While in previous years unions were able to expand coverage and consolidate wage gains in strategic sectors, "negative negotiation" restricted these achievements and imposed clear limits on union action.

However, the persistence of grassroots mobilizations and the negotiation of sectoral agreements demonstrate that the collective strength of workers still functioned as a mechanism

of resistance and regulation of labor relations (Marticorena, 2014, 2015; Palomino, 2008; Varela, 2015).

In summary, the results indicate that collective bargaining in Argentina is simultaneously an instrument of institutionalization of conflict and an arena of political dispute. The economic crisis of 2015 and wage containment policies reinforce the idea that the effectiveness of collective bargaining depends on the capacity of the State, the union organization and the macroeconomic context, configuring a complex balance between economic stability and labor rights.

8 CONCLUSION

The present study demonstrated that collective bargaining in Argentina, far from being a static or merely formal practice, has functioned as a central space of political and social dispute over the last decades. Between 2003 and 2015, it was consolidated as an instrument capable of articulating the interests of workers, unions and the State, in a context of economic expansion and strengthening of labor institutions. From 2015 onwards, however, this balance was profoundly altered by the emergence of a new pattern of state intervention in labor relations that this author proposes to conceptualize as "negative collective bargaining" a process in which the State not only moderates wage demands, but systematically conditions, limits and redirects collective bargaining according to restrictive macroeconomic goals, reducing the capacity for union pressure and converting the negotiation space into an instrument of labor discipline.

This concept of negative collective bargaining does not simply describe a temporary containment of wage increases, but a reconfiguration of labor relations in which the institutional mechanisms of mediation cease to be arenas of effective dispute for social advances to become tools for containing demands, inserting collective bargaining in a logic of structural limitations imposed by the State.

The importance of this text as an object of study in graduate programs lies in its ability to unite historical, critical, and empirical analysis of labor relations with a crucial contemporary debate on the role of the State, trade unionism, and economic policies in crisis contexts. Additionally, due to the growing interdependence of economies and the circulation of neoliberal policies on a global scale, this work can enrich international exchange programs by offering students and researchers an in-depth understanding of the challenges faced by collective bargaining regimes, allowing comparisons with experiences from other countries, and encouraging theoretical dialogues on labor relations models in booming and crisis cycles.

Reflecting on the current Argentine political and social moment, the recent labor reform promoted by the government of *Javier Milei* represents a significant social setback in the field of labor rights. The reform, which extended the working day, made contracts more flexible, changed the calculation of compensation and imposed restrictions on the right to strike, symbolizes a decisive turn towards the deregulation and precariousness of working conditions, a transformation that many analysts, unions and social movements qualify as an attempt to weaken the historical achievements of the Argentine labor movement and to subordinate labor relations to the demands of capital and the markets.

This set of changes, instead of offering an equitable "modernization", tends to widen power asymmetries, reduce basic protections for workers, and deepen social vulnerability, characteristics that, in the author's assessment, represent a significant setback in the framework of labor rights built over years of collective struggles and negotiations.

Finally, this research reaffirms that collective bargaining is not a mere technical artifact, but a field of struggle, deeply conditioned by economic and political transformations. Understanding its multiple configurations, including negative forms of negotiation, is essential not only to decipher Argentina's recent past, but also to anticipate and critically respond to contemporary challenges of labor relations in contexts of crisis and global reorganization.

9 INSTITUTIONAL NOTE

The present study was delivered to the Graduate Office of the Universidad Nacional de Córdoba as a mandatory requirement for the qualification of the Graduate Program in Law and Social Sciences, at the third face-to-face meeting held in Córdoba, Argentina, in July 2015, under the title: Thesis Project. Its development was interrupted in July 2017, under the agreement with ISPED.

Although the study was originally developed in the context of 2015, its analysis in this research has been revised and updated, remaining relevant to understanding the current challenges of labor relations in Argentina. In our assessment, the reform of the Milei government, known as part of the package of economic deregulation measures often associated with the Basic Law (or "Bus Law") and the Decree of Necessity and Urgency (DNU) No. 70/2023 may compromise social and redistributive advances. Such a scenario reinforces the importance of studies like this one to monitor, analyze and critically debate the transformations in labor relations in the country.

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