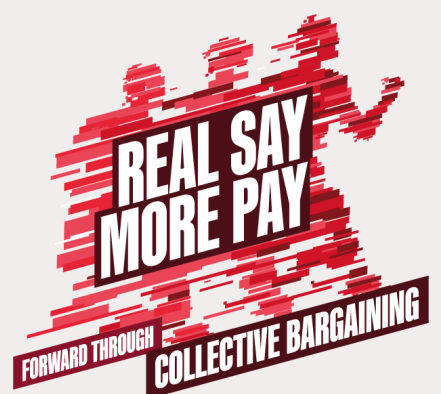




MAKING BETTER USE OF PUBLIC PROCUREMENT

EU citizens' preference for public procurement
rules that strengthen Social Europe



Executive Summary

The European Commission's **revision of the EU's public procurement directives** is going ahead this term. While there are many competing interests on this legislative overhaul, **EU citizens display a clear preference for social criteria** such as respect for unions and collective bargaining. That is the key conclusion of a **survey** commissioned by UNI Europa from the independent polling firm [Opinea](#). The survey drew on questions in a 2011 [Eurobarometer survey](#) and posed them to citizens of six EU member states: **Czechia, France, Germany, Ireland, Poland and Spain**.

The five key takeaways are:

- Over 60 per cent of respondents consider that public contracts **should be awarded based on a mix of criteria such as quality, social and environmental**. Currently, over 50 per cent of public tenders in the European Union are being awarded based on the lowest price only.
- Most respondents consider **social criteria to be the most important across all six countries** compared to those linked to environment, innovation or company size.
- 72 per cent of respondents agree that public authorities should **prioritise companies that adhere to a collective agreement with a trade union**. The current directives have created legal uncertainty that deters public authorities from implementing such policies.
- 83 per cent of respondents want **authorities to exclude union busters from public contracts**. Under current legislation, public authorities are not obliged to take such action.
- The proportion of citizens who want public tenders **to take into account factors other than price has increased significantly from 52 to 65 per cent** since a Eurobarometer survey in 2011.

These takeaways expose a **wide gap** between the preferences of European citizens and the result of European rules. The survey shows that **a majority of citizens across EU member states** want their taxes to go towards building a

MAKING BETTER USE OF PUBLIC PROCUREMENT

fairer economy by integrating social criteria – such as the **respect for unions** and **collective agreements** – into public procurement rules.

As this report argues, the European Commission should therefore ensure that member states and national authorities provide for public procurement rules that promote collective agreements and collective bargaining. These rules should give **preference to companies with collective agreements**, while those that refuse to negotiate or implement them **should be excluded from public contracts**. Finally, the EU must set **ambitious and progressive targets** for the coverage of collective agreements in public procurement.

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1 Introduction

“We must [...] make better use of public procurement,” Ursula von der Leyen wrote [in her political guidelines](#) for a second term as President of the European Commission in July 2024. Ten weeks later, **essential workers from nine EU countries rallied in Brussels** with a clear message on how the EU could do exactly that.

The workers at the rally – cleaners, security guards and food service workers – condemned the “**race to the bottom**” caused by the EU’s current rules. They called for a reform that puts **an end to competition for the lowest price** by linking public contracts to respect for decent wages, good working conditions and collective bargaining.

In an [open letter](#) released a day ahead of the rally, over [100 world-leading economists](#), including **Thomas Piketty** and **Isabella Weber**, criticised the “dominant focus on the lowest price in tenders”, supporting workers’ demands for a reform that “**strengthens collective bargaining**”.

Millions of workers are employed in the EU through **public contracts**. Public procurement creates standards that influence pay and working conditions throughout the private sector. However, [with 50 per cent of public tenders](#) in the EU awarded solely based on the lowest price, **many undercutting companies receive public contracts** instead of decent employers.

This dynamic is particularly strong in the **labour-intensive service industries**, where companies compete primarily on reducing labour costs. Even employers’ organisations across the [cleaning](#), [security](#) and [catering](#) industries **stress the need to move away from only focusing on price**.

Starting this year, as von der Leyen promised in her guidelines, the European Commission will **evaluate the EU public procurement directives** that have governed procurement practices across the EU since 2014. The European Parliament is already working on an **own-initiative report** to examine, among other things, the social dimension of the directives.

As public procurement amounts to [15 per cent](#) of the EU’s Gross Domestic Product (GDP), it is one of the bloc’s most powerful levers to reach EU objectives. This report contributes to the policy discussion on making “**better**

MAKING BETTER USE OF PUBLIC PROCUREMENT

use of public procurement” by complementing essential workers’ demands, economists’ analyses and employers’ concerns with **European citizens’ preferences**.

UNI Europa commissioned the independent polling firm [Opinea](#) to conduct a representative survey across six European countries: **Czechia, France, Germany, Ireland, Poland** and **Spain**. In the following section, the report will analyse the data and present **five key takeaways**. It will then draw **conclusions** from the analysis and outline **policy recommendations** to the European Commission. The report will close with a note on **survey design**.

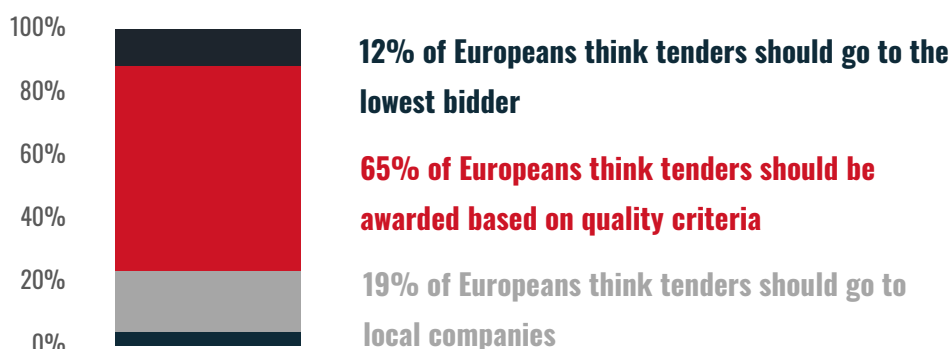
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2 Results

2.1 Broad support for public procurement for the public good

A majority of respondents (65 per cent) across countries want the EU to award public contracts on a mix of criteria, including price and quality services along with environmental sustainability and social aspects. In fact, the current procurement model based solely on price was rejected by 88.4 per cent of respondents across all countries.

European citizens reject lowest-price tendering



As Table 1 shows, the preference for a mix of criteria is particularly strong in Spain (76.6 per cent), Ireland (66.7 per cent), and Germany (65.2 per cent). In all the three other countries – Czechia, France and Poland – significantly more than half of respondents agree.

Table 1 – Criteria for Awarding public contracts

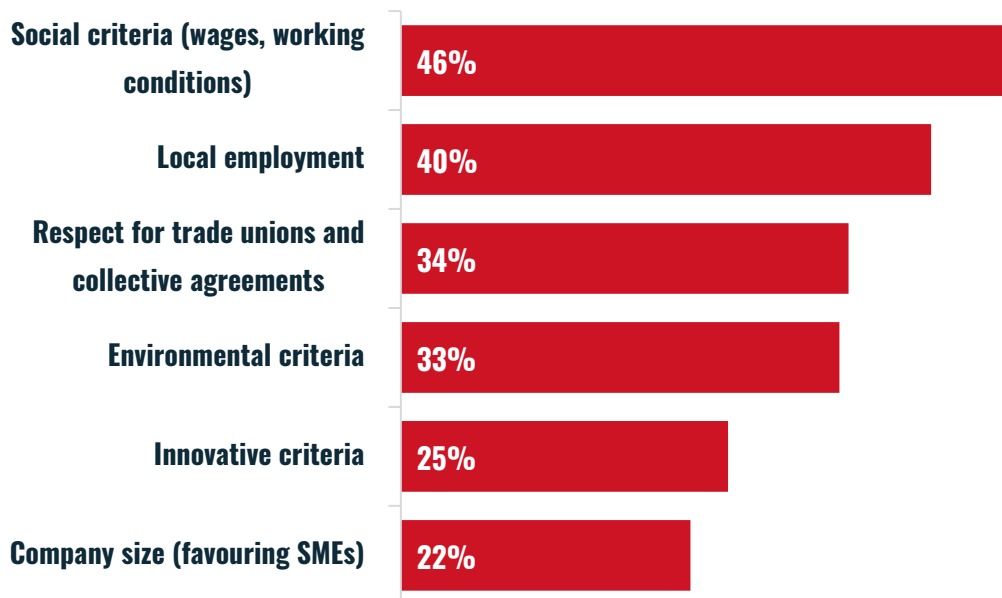
<i>Imagine that your local public authorities are planning to spend taxpayers' money on the cleaning of a school or hospital. According to you, what should be the deciding factor when awarding contracts for such a project?</i>							
	CZ	DE	ES	FR	IE	PL	Average
<i>The company to which the contract is awarded is from my country</i>	19.4%	18.2%	14.5%	21.0%	15.6%	25.1%	19%
<i>The cheapest offer is chosen</i>	10.1%	12.4%	7.3%	12.2%	13.7%	13.6%	11.6%
<i>The best offer is chosen across a mix of characteristics including the price, quality, environmental considerations and social aspects</i>	63.8%	65.2%	76.6%	60.6%	66.7%	56.8%	65.0%
<i>Don't know</i>	6.6%	4.2%	1.6%	6.2%	4.0%	4.5%	4.5%

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2.2 Social criteria and collective bargaining top the list

The survey measured which factors beyond costs are important for respondents. **Most respondents (46.4 per cent)** consider that **social aspects** – such as working conditions and wages – **justify a higher price in a public tender**.

Based on which criteria can authorities accept a higher price for public contracts?



As table 2 shows, Spanish and German citizens have a **strong preference** for social considerations, **with over half of respondents** stressing this criterion. The second most popular criterion across the six countries is the **employment of local people (40 per cent)**. This is closely followed (**34.1 per cent**) by ensuring that companies should respect **the right of workers to be in unions and bargain collectively**. Respondents in Spain and Ireland were most likely to favour this criterion.

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Table 2 – Criteria for quality procurement

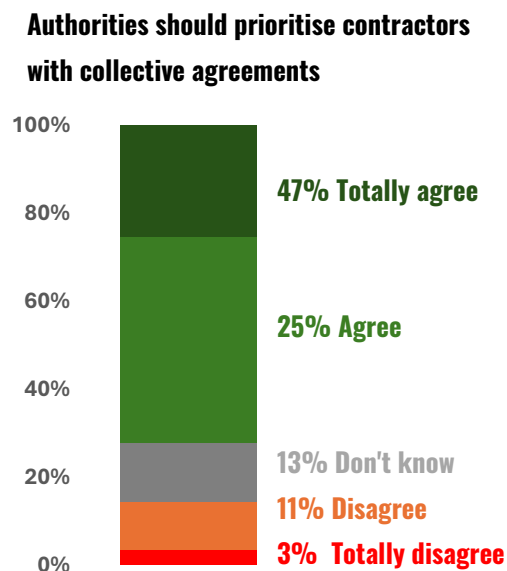
<i>Taking the above example when deciding on how to spend taxpayers' money, imagine the public authorities don't just choose the cheapest offer. In which cases do you think that public authorities can justify spending more on a potential bid? (you can pick several)</i>							
	CZ	DE	ES	FR	IE	PL	Av.
<i>When environmental aspects are taken into account</i>	19.6%	35.4%	35.2%	39.2%	38.1%	32.7%	33.4%
<i>When social aspects are taken into account (for example working conditions and wages)</i>	35.5%	52.5%	58.0%	44.6%	45.5%	42.2%	46.4%
<i>When innovative aspects are taken into account (for example new technologies are implemented)</i>	26.6%	21.8%	27.9%	20.4%	27.0%	25.6%	24.9%
<i>When small and medium sized companies are favoured</i>	22.7%	37.7%	16.6%	13.5%	18.8%	22.9%	22.0%
<i>When the winning company employs local people to carry out the work</i>	37.1%	41.1%	38.8%	42.2%	41.5%	41.3%	40.3%
<i>When the company respects the right of workers to be in a union and negotiate pay and conditions</i>	22.0%	30.4%	44.2%	33.8%	40.8%	33.1%	34.1%

These top three criteria were followed by those related to environmental concerns, innovation and company size.

2.3 Contractors with collective agreements deserve priority

The survey further asked whether respondents thought that **public authorities** should be able to **prioritise companies that adhere to a collective agreement** with their workers.

As Table 3 shows, **almost three in four respondents (72.3 per cent)** across the six countries agreed with public authorities promoting collective agreements through tenders, **with more than four in five** in Spain in favour of the proposal. Even in the country with the lowest support – Czechia – **a large majority (62.6 per cent) agree**.



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Remarkably, **very few respondents “disagreed”** with the statement (**14.4 per cent**), with only 6.8 per cent in Spain and 7.8 per cent in Ireland.

Table 3 - Preference for companies with collective agreements

<i>When awarding public contracts, do you think authorities should prioritise companies that have a collective agreement, negotiated with a trade union in place for their workers?</i>							
	CZ	DE	ES	FR	IE	PL	Average
<i>Totally agree</i>	17.8%	29.8%	36.4%	21.2%	25.5%	21.6%	25.4%
<i>Agree</i>	44.8%	44.1%	45.1%	49.8%	51.2%	46.2%	46.9%
<i>Disagree</i>	13.5%	13.5%	6.8%	11.1%	7.8%	13.4%	11.0%
<i>Totally disagree</i>	3.7%	2.8%	4.1%	4.6%	2.3%	2.9%	3.4%
<i>Don't know</i>	20.2%	9.8%	7.6%	13.3%	13.2%	15.9%	13.3%

2.4 Union busters should be excluded

In addition to giving preference to companies with collective agreements in public tenders, the survey found **overwhelming support for a policy excluding union-busting companies**.

As Table 4 shows, there is an **80 per cent of respondents** agreed that such companies should be excluded. In Spain and Poland, the figure reaches almost **90 per cent of respondents**.

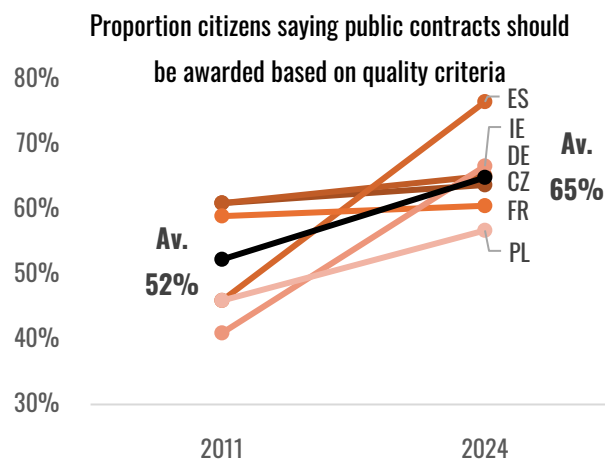
Table 4 - Excluding union busters from public contracts

<i>When awarding public contracts, do you think authorities should exclude companies that engage in unfair labour practices (e.g., underpaying workers or avoiding unionisation) even if they offer the cheapest service ?</i>							
	CZ	DE	ES	FR	IE	PL	Average
<i>Totally agree</i>	33.4%	48.4%	60.9%	49.2%	47.0%	51.6%	48.4%
<i>Agree</i>	43.8%	32.2%	26.8%	31.0%	37.4%	34.8%	34.3%
<i>Disagree</i>	9.8%	9.1%	5.8%	8.7%	4.5%	5.1%	7.2%
<i>Totally disagree</i>	2.7%	4.2%	3.7%	5.2%	6.2%	2.6%	4.1%
<i>Don't know</i>	10.3%	6.2%	2.8%	6.0%	5.0%	5.9%	6.0%

MAKING BETTER USE OF PUBLIC PROCUREMENT

2.5 Quality procurement is a rising concern for citizens

The survey shows a **considerable rise in public support for quality procurement** (which includes social and environmental criteria) across all six countries in Europe. In 2011, the EU last [surveyed](#) citizens with a special **Eurobarometer survey** before the **latest revision of public procurement directives in 2014**. One purpose of that revision was, among other things, to promote sustainable public procurement.



In the survey, EU citizens were asked whether they thought public contracts should be awarded by looking at a set of **quality criteria** including price, quality, environmental and social aspects. The 2024 survey shows a considerable rise in **public support for sustainable procurement** from 52 per cent to 65 per cent.

Table 5 - Support for sustainable procurement 2011 vs. 2024

<i>Proportion citizens saying public contracts should be awarded on quality criteria.</i>							
	CZ	DE	ES	FR	IE	PL	Average
2011	61%	61%	46%	59%	41%	46%	52%
2024	64%	65%	77%	61%	67%	57%	65%

2 Conclusion: research shows gap between the public's values and public policy

This report has analysed EU citizens' preferences on public spending through procurement contracts, uncovering four paradoxes:

- **While Europeans prefer sustainable procurement, authorities mostly focus on the lowest price.** A large majority of citizens favour public contracts to be awarded according to a mix of criteria such as price, quality, social and environment, but the majority of public contracts are awarded based on the lowest price exclusively. According to data of the [Single-Market Scoreboard](#), only eleven countries reach the target of 80 per cent tenders being awarded on broader criteria than just price.
- **While Europeans prioritise social criteria in procurement decisions, EU policy neglects the social dimension.** European citizens want public contracts to be awarded to companies who pay decent wages, employ local people and respect union and bargaining rights. By contrast, the EU has mostly made progress in environmental, innovation- or company size-related criteria. An example is the EU's work on [green](#) public procurement and Ursula von der Leyen's call for procurement to foster [innovation](#).
- **While Europeans want to give preference to companies with collective agreements, EU legislation creates uncertainty.** In the six countries surveyed, a clear majority thinks authorities should give preference to companies with a collective agreement. However, current procurement rules create legal uncertainty as to whether authorities *can* do so. As a 2023 [study](#) commissioned by the Employment Committee of the European Parliament found, this leads to a chilling effect deterring public authorities across the EU.
- **While Europeans agree overwhelmingly that union busters should be excluded, this is only optional in the EU.** An overwhelming majority of Europeans believe it is necessary for companies disrespecting trade unions and collective bargaining rights to be excluded from public tenders. However, under current legislation this is only an optional factor.

3 Policy recommendations to fix EU public procurement

The European Union should **align its public procurement rules with its citizens' preferences**. That means enabling the use of public procurement to achieve social goals in general, and the protection and promotion of collective bargaining through public procurement specifically.

Building on various expert [reports](#), the EU could achieve this by applying the following measures:

- Member states and national authorities should be obliged to provide for public procurement rules **that promote collective agreements and collective bargaining**. In particular, EU law must clearly state that such provisions cannot be judged as discriminatory and do not need to be linked to the subject matter.
- Regarding the award criteria, **public authorities should be obliged to give preference to companies with collective agreements**, but also give further preferences in line with the extent to which a company's agreements are more favourable to workers.
- Regarding the selection criteria, public authorities should be obliged that at least wages and working conditions **are in line with the standards laid down in the prevalent collective agreements** in sectors and regions covered according to national law and practice.
- Companies that refuse to negotiate or implement collective agreements **should be excluded from public contracts**. Public contractors must be obliged to ensure full respect for ILO core labour rights as a condition of the public contract, including effective enforcement mechanisms for all economic operators, including in the subcontracting chain. Violations must be a mandatory ground for exclusion.
- The EU must set **ambitious and progressive targets for the coverage of collective agreements in public procurement**. Bearing in mind that public procurement gives the EU enormous leverage to achieve 80 per cent collective bargaining coverage, as set out in the EU Directive on Adequate Minimum Wages.

MAKING BETTER USE OF PUBLIC PROCUREMENT

In addition, the European Commission should engage with the **sectoral social partners in labour-intensive sectors** to discuss whether it is appropriate to enact specific legislation on procurement in their sectors, putting into action the improvements set out above.

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4 Survey design

The survey encompassed a **representative sample of 6,080 respondents** from six countries – Czechia, France, Germany, Ireland, Poland and France – with approximately 1,000 participants per country. The survey was conducted by the independent polling firm [Opinea](#) in December 2024. It aims to better understand public opinion on the **EU citizens’ attitudes** towards the awarding of public contracts in the EU.

As Table 6 shows, each of the six country had **approximately 1,000 respondents**, with gender distributions balanced between men and women. Age group distributions reveal some variations, with Irish participants, for instance, being somewhat younger than respondents from other countries.

Table 6 – Respondents’ descriptive statistics

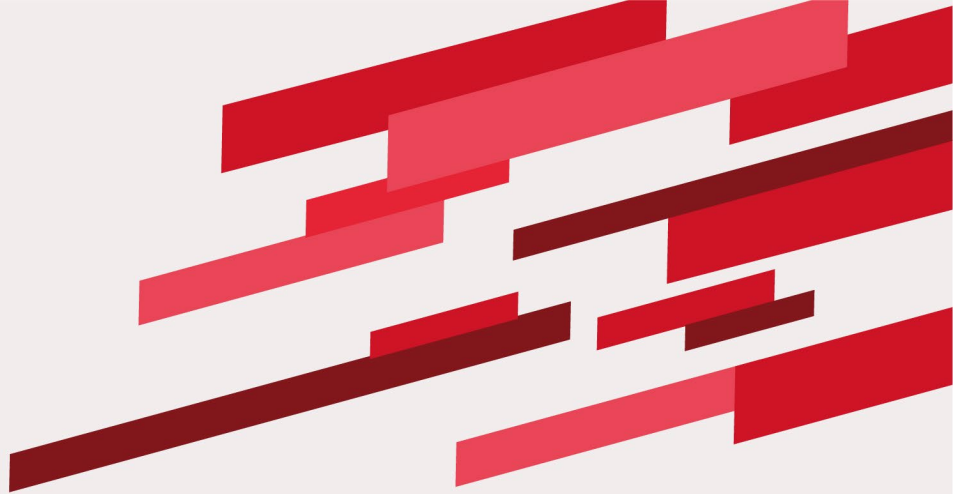
	CZ	DE	ES	FR	IE	PL
Total participants	1009	1030	1011	1011	1006	1013
Men	50.4%	50.4%	49.8%	48.8%	49.6%	49.4%
Women	49.6%	49.6%	50.2%	51.2%	50.4%	50.6%
Age						
18-25	12.5%	12.5%	11.8%	13.1%	15.0%	11.4%
26-35	18.6%	18.6%	16.4%	17.1%	18.5%	19.6%
36-45	18.1%	18.1%	22.0%	18.0%	23.1%	23.2%
46-55	20.6%	20.6%	23.1%	19.1%	20.3%	18.2%
56-65	21.8%	21.8%	19.3%	17.9%	16.3%	18.6%
66-70	8.4%	8.4%	7.4%	14.8%	6.8%	9.0%
Educational level						
Lower secondary	33.6%	39.0%	18.1%	20.8%	13.5%	44.4%
Higher secondary	46.2%	49.4%	39.6%	37.4%	41.9%	26.8%
Higher education	20.2%	11.6%	42.3%	41.8%	44.6%	28.7%
Occupational status						
Employee	85.9%	77.4%	72.7%	59.9%	67.6%	86.7%
Self-employed	8.0%	15.5%	2.9%	5.1%	6.4%	7.9%
Other	6.1%	7.0%	24.3%	35.0%	26.0%	5.4%

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Educational attainment levels also differ across countries. In Spain, 42.3 per cent of respondents have higher education, contrasting sharply with Germany's 11.6 per cent. Poland reports the highest percentage of individuals with lower secondary education at 44.4 per cent, whereas Ireland has the lowest at 13.5 per cent.

Regarding **occupational status**, the majority are employees, ranging from 59.9 per cent in France to 86.7 per cent in Poland. Self-employment is most prevalent in Germany at 15.5 per cent and least common in Spain at 2.9 per cent. The 'Other' category, which may include students, retirees, or unemployed individuals, is notably high in France at 35.0 per cent and Spain at 24.3 per cent, compared to just 5.4 per cent in Poland.

The results were **weighted** in order to reflect general population distribution regarding age, region and gender.



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40 Rue Joseph II
1000 Brussels, Belgium
+32 2 234 5656
communications@uniglobalunion.org
www.uni-europa.org

