



Welcome to issue no. 1 / 2010 of EWC News.

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**Der EBR-Fachinformationsdienst**

The training and consultancy network "euro-workscouncil.net" is there to inform you about the activities of European Works Councils and related subjects.

EWC News appears four times a year.  
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## 1. Transposition of the EWC Directive, current status

### British transposition before the House of Commons

The government draft for the transposition of the new EWC Directive has been up for vote in the London parliament since April 6th, 2010. It was signed by the minister for employment relations on March 30th, 2010. Although the law will only come into force in June 2011, members of parliament must decide on the matter within 40 sitting days. A new House of Commons is to be elected on May 6th, 2010 and will hold its constitutional meeting on May 25th, 2010.



Following a public consultation, the Department for Business, Innovation and Skills (BIS) presented draft legislation on 19th November 2009 which fell far below the conception of trade-unions in key areas (see report in EWC News 4/2009). Altogether 44 associations, trade unions as well as members from seven European Works Councils with suggestions of their own, participated

in the consultation which ran until February 12th, 2010.

### **No provisions for injunction against employers**

Following consultation and renewed discussions with the European Commission in Brussels the ministry amended its draft. The definition of information and consultation was taken word-for-word from the new Directive. The British government, however, expressly avoids giving any injunction rights in the case of unsatisfactory consultation procedures; it merely raises the maximum fine from £ 75,000 (€ 85,000) to £ 100,000 (€ 114,000). The provisions of means for European Works Councils are not laid down in the law but defined in a set of non-binding guidelines provided by the ministry.

- [The new EWC legislation in the wording](#)
- [Ministry guidelines for the new EWC legislation](#)

### **Costs of a European Works Council**

In an annexe, the ministry calculates the estimated costs arising for British companies from European Works Councils: the establishment of an EWC is estimated at £ 130,000 (€ 148,000) with running costs amounting to £ 175,000 (€ 200,000) per year. Out of this sum, £ 38,000 (€ 43,000) alone are allocated for trainings. British EWC bodies therefore position themselves considerably below the EU average estimation of £ 214,000 (€ 244,000) per year. According to a report from 2008, the costs for French EWC bodies are the highest (see report in EWC News 3/2008).

- [Full text of the British impact assessment](#)

Works council members who wish to familiarize themselves with the situation of employee representation in the UK subsequent to the House of Commons election have the opportunity on an EWC Seminar in Hamburg on January 25th, 2011. English interpretation will be available.



### **Inventory: Transposition in other countries**

The European Trade Union Confederation's (ETUC) group of experts on employee participation met in Brussels on March 1st, 2010. Delegates from the national organizations reported on the preparation for the EWC Directive's transposition in their countries. The situation is as follows:

- **Portugal** has already transposed the EWC Directive (see report in EWC News 4/2009) although trade unions see the need for improvement. The government in Lisbon has indicated that it is prepared to amend the legislation.
- In **Austria** legislation is to be drafted by a working group by the end of 2010.
- A solution is to be negotiated between the social partners in **Belgium** by the end of June, 2010. Employers are taking a very restrictive attitude.
- In both **Denmark** and **Norway** the process started in January 2010.
- Employer federations refused in **Sweden** to work on a common draft with trade unions. The government will therefore present a simplified proposal for November 2010. Trade unions fear that the Directive will be badly transposed.
- A first meeting has taken place between the DGB and the Department of Employment in **Germany**. The draft legislation is expected late however, presumably beginning 2011.
- No preparation work at all has been announced in **France**.

The greatest taboo seems to be the question of **sanctions** which the European Parliament was able to negotiate into the draft legislation at the last minute (see report in EWC News 4/2008).

Should European Works Councils not obtain binding provisions for injunction against unsatisfactory information and consultation by central management (see report EWC in News 1/2008), they would remain "toothless tigers". This has always been the aim of the British government who openly supported the employer's position during the revision procedure (see report in EWC News 4/2008).

The rather restrictive attitude is unusual for countries such as Belgium, Sweden and Germany. The reluctance of the French government, which had vehemently campaigned for the new Directive (see report in EWC News 3/2008), is also unusual. It will be interesting to see how countries in Central and Eastern Europe position themselves. They are, apparently, waiting to see which attitude gains acceptance in Western Europe. The March 2010 newsletter on corporate company policy from the European Metalworkers' Federation (EMF) provides further information on pages 3 – 4:

- [The EMF newsletter](#)

## 2. Outlook in specific countries

### Series of strikes in Greece



For several months now, the socialist government's harsh austerity programme has given rise to protests. In a general strike on March 11th, 2010, trade unions demanded a more equitable distribution of the burden of the financial crisis. The rescue package for Greece is also under criticism from the European Trade Union Confederation (ETUC) in Brussels since it had not been previously agreed upon by social partners. On March 9th, 2010, the ETUC demanded a new "Social Deal" for the whole of Europe.

- [Trade union report on the strikes](#) (in German)
- [Video of the general strike](#) (in German)
- [The ETUC resolution on Greece](#)
- [The ETUC resolution on the financial crisis](#)

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### Closure of the last Danish cigarette factory



The "House of Prince" situated to the north of Copenhagen, in Søborg, is to be closed on January 31st, 2011. This long-established Danish company was bought by the British Group BAT (British American Tobacco) in 2008. The foodstuffs trade union, NNF, was able to negotiate the best social compensation plan ever in Danish history for the around 500 employees. It provides a compensation of one month's salary per year seniority (with a minimum of 6) plus a bonus of 15%. Every dismissed employee is to benefit from a training program. On December 1st, 2009, another wage-rise of 4.5% was given. This very popular cigarette brand in Scandinavia (market share of 34% in Denmark) is to be manufactured in Bayreuth, Germany in the future. Following texts are available only in German:

- [Report on plant transfer](#)
- [Background information: The Danish system of employee representation](#)

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### A British employee forum measures the "temperature" of job satisfaction



members one day per month.

The 2,500 employees of the Bank of Ireland's British subsidiaries have their own representation structure: five staff councils from each of the business divisions meet at least bimonthly together to form a UK Partners' Council. This forum (resembling a national works council) meets once per quarter and is headed by a full-time chairwoman – both rather unusual exceptions on British standards. Each chairperson of the five staff councils has one day per week time-off and all other 45

Over the past two years, with the help of consultants, the bank's employee representatives have developed a tool for measuring job satisfaction. In every business division they make a barometer which is updated monthly. All areas are assigned a green, yellow or red status. For the "Hot Spots" identified with red an action plan is then prepared. The chairwoman of the UK Partners' Council regularly presents a group level barometer to the company's CEO.

- [Report on the barometer](#)
- [Background information: The British system of employee representation](#) (in German)

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### French trade union landscape in turmoil

France is the EU country with highest number of trade unions and the lowest member figures. Whilst, in many other countries, trade unions are merging to combine their strengths, in France, the trade union landscape has further fragmented over the last few years. The new collective bargaining legislation which came into force on January 1st, 2009 aims at reversing this trend (see report in EWC News 4/2008).



The legislation links the ability to negotiate within the company to the works council election results. Trade unions with less than 10% of the votes may still be represented in the works council but they lose their rights to negotiate company-level collective agreements. This can become an existential question for small trade unions since, in a system with no co-determination rights, all company matters must be settled through collective bargaining. The new legal standpoint is currently challenged in the courts (see report in EWC News 4/2009) but is already having an effect in practice: small trade unions are making alliances. Two examples follow:



On January 18th, 2010 the CFTC, FO and CFE-CGC trade unions of the **SNCF** railway company signed a partnership agreement in order to regain their ability to negotiate as of 2011. In works council elections on March 26th, 2009 they had obtained less than 10% of the votes. In the future they will stand for election together to overcome the threshold. The formerly communist CGT is the largest trade union present with almost 40%. Further information in French:

- [Diagram of the SNCF works council election results](#)
- [Assessment of the election results in the press](#)
- [Report on the signing of the partnership agreement](#)
- [SNCF Central Works Council webpage](#)

The CFE-CGC and UNSA trade unions in **France Télécom** whose company groups had merged in 2008 want now to include the Christian trade union CFTC. The 10,000 employees of the business customers division (similar to T-Systems at Deutsche Telekom) gave this trade union alliance a 60% majority in the works council elections in January 2010 while the CGT and CFTD were left in the minority. The FO union has lost its negotiation status in all areas of France Télécom.



- [Report on the outcome of France Télécom elections](#) (in French)
- [Background information: The French system of employee representation](#) (in German)
- [Analysis of earlier works council elections in France](#) (in German)

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### German-French EWC specialist conference in Paris



This conference, on the 5-6th July 2010, provides an opportunity for anyone wishing to get deeper knowledge of the French trade-union and works council systems. Apart from the new EWC Directive, it will also treat the subject of how the EWC deals with restructuring. Simultaneous interpretation will be available (German, English, French). The participation fee for EWC members has to be beared by central management.

- [Program of Specialist conference in Paris](#)
- [Report on participation à la française](#) (in German)
- [Specialist conference Registration form](#)

### 3. Recent Court rulings

#### First ever court-ruling in Slovakia

On January 29th, 2010 a court in the Slovakian capital Bratislava ordered the subsidiary of the Kühne + Nagel haulage group to communicate all information required for the establishment of a European Works Council to the German national company in Hamburg. It is the first verdict in Slovakia in an EWC matter. The EWC Directive came into force when the country joined the EU in 2004.



Employee representatives have been trying in vain, since 1996, to establish a European Works Council in the haulage group Kühne + Nagel (see report in EWC News 1/2008). Central management in Switzerland is trying to delay the creation of the EWC through legal obstruction and had forbidden all of its EU subsidiaries to communicate information to Germany. This had already triggered a string of complaints in Austria (see report in EWC News 3/2007) and also in Sweden (see report in EWC News 1/2009) leading to the very first verdicts ever passed on EWC matters in these countries. The European Commission in Brussels reacted to the case by introducing relevant provisions within the new EWC Directive ("lex Kühne + Nagel").

- [Interview with the chairman of the German national works council](#)

#### No special protection against dismissal for employee representatives



The European court of justice in Luxembourg (photo) ruled on February 11th, 2010 that, under EU law, employee representatives do not automatically benefit from more protection against dismissal than normal employees. The verdict originates from proceedings in Esbjerg (Denmark). A works council member fired in 2006 from the engineering firm Babcock took legal action for unfair dismissal.

- [Full text of the ruling](#)

The ruling is also of major significance for European Works Councils since the EWC Directive does not provide any unified protection against dismissal. The level of protection depends rather on the rules of the country of origin of each EWC member. Almost all EWC agreements have done the same hereby firmly rooting unequal treatment within the European single market. The very extensive protection rights against dismissal for works council members in Germany or France must be contrasted to the weak protection in the UK or Eastern Europe. The industrial tribunal in Antwerp, Belgium was the first ever to rule on protection against dismissal of EWC members (see report in EWC News 4/2009).

#### French court orders plant to re-open

On February 19th, 2010, the court of appeal in Chartres ruled that the Dutch electronics group, Philips, should resume production of flat-screen televisions in its Dreux plant (Central France) within eight days, provide works council members free access to the factory premises and should stop the implementation of a redundancy plan which the company had announced unilaterally.



The company was sentenced to pay a penalty of € 25,000 per day if it did not comply with the court order. The court objected that neither the works council nor the central works council had given an opinion on the plant closure and that the employer had therefore disregarded the consultation rights of the employee representatives. Similar rulings are continually being reported from France (see report in EWC News 4/2009).

A new consultation procedure started on March 9th, 2010 and was concluded with a severance package. As a consequence the last production site for television sets in Western Europe could be closed on April 15th, 2010. Employees benefit from redundancy payments between 60,000 and 80,000 € and a whole year of paid training. If they find worse paid jobs after that, Philips will top-up their pay for up to three years. Following texts are available only in French:

- [Report on the situation at Philips in Dreux](#)
- [Report on the end of the consultation](#)
- [Report on the final closure](#)
- [Plant closure internet blog](#)

This example shows the possibilities that French labour legislation offers to employees. Since the EWC Directive is based on the same concept of information and consultation, European employee representation bodies can use similar arguments when confronted with unsatisfactory consultation procedures. Some remarkable cases can also be observed in the courts, e.g. the merger that was stopped by the Gaz de France EWC (see report in EWC News 1/2008).

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### Large compensation due to unsatisfactory consultation in Finland



On March 8th, 2010 the highest Finnish court of justice (photo) sentenced the Fujitsu Siemens computer company, to pay compensation amounting to 3 million € to dismissed employees. The verdict is based on a decision of the European court of justice of September 2009 which defined for the first time the correct consultation procedure for mass redundancies (see report in EWC News 3/2009). In the year 2000 the Espoo plant near Helsinki was closed without correct consultation of employee representatives.

- [Metal-industry trade union report on the verdict](#)
- [Chemical trade union report on the verdict](#)

## 4. Transnational agreements on Employment policy

### Guarantees for Areva employees

The European workforce of the Areva group's electricity distribution division is to be given a 3 year employment guarantee following its sale to Alstom and Schneider Electric. The consultation of the Areva European Works Council was concluded on 7th January 2010 with this promise on behalf of both buyers' managements. In September 2009 there had been protests against the sale simultaneously in eight European countries (see report in EWC News 3/2009).



To prevent any subsequent workforce reductions in Alstom and Schneider Electric, a similar agreement for all three French groups involved is to be negotiated. To this end, the three European Works Councils gave a mandate to the European Metalworkers' Federation (EMF) in Brussels which has already gained experience with such agreements. In July 2007, Schneider Electric had already reached an agreement on the anticipation and management of employment skills and socially responsible company policy (see report in EWC News 2/2007).

- [Report on the employment agreement](#) (in French)

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### Two transnational agreements updated



On February 23rd, 2010 trade unions and central management of the French conglomerate GdF-Suez signed two agreements: a Europe-wide agreement on employment and skills planning and a worldwide agreement on occupational health and safety. Both agreements were based on the texts originally signed in July 2007 for Suez before the merger (see report in EWC News 2/2007).

- [Report on the agreements](#)
- [Full text of employment and skills planning agreement](#)
- [Full text of occupational health and safety agreement](#)

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### Parcel service of the German post office quits Brussel hub

The DHL parcel service is relocating its headquarters from Brussels' airport to Germany, Czechia and Costa Rica. With the help of the European Works Council an agreement was signed for the 788 employees concerned on March 31st, 2010. It provides social measures to soften the blow of layoffs. Only regional activities of DHL will remain in Belgium. The closure was accompanied by months of protests (see report in EWC News 3/2009).



- [Report on the signing of the agreement](#)
- [Trade-union assessment of DHL restructuring](#)
- [Report on situation in Costa Rica](#)
- [Video of trade union campaign at DHL](#)



### Belgian IT service provider reaches restructuring agreement

An agreement was signed on April 9th, 2010 between the central management of Econocom, the European Works Council and Belgian and French trade unions concerning the relocation of business activities to Morocco. It covers both the information and consultation procedures as well as severance packages ranging from two to ten months salary. Econocom has a 2,300 strong workforce in Benelux, France, Germany, Spain, Italy and in the UK and a European Works Council since 2007.

- [Full text of the agreement](#) (in French)

## 5. New European Works Councils

### Post-merger: Copper producer now has EWC under German law

Following the acquisition of the Belgian copper manufacturer Cumerio by Norddeutsche Affinerie the merged company was renamed to Aurubis. Since October 8th, 2009, Aurubis has an EWC agreement under German law. It covers six EU countries and Switzerland and already embodies the definition of information and consultation taken directly from the new EWC Directive.



The twelve EWC members meet twice yearly. The four member select committee selected from different countries are to be consulted under extraordinary circumstances. Central management in Hamburg bears the costs for training and a permanent expert. Whereas the Norddeutsche Affinerie did not yet have any transnational employee representative body, Cumerio had had a EWC in place under Belgian legislation since 2006.

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### Dutch foodstuffs manufacturer establishes EWC



At the end of October 2009 an EWC agreement under Dutch law was signed covering the 2,000 employees of Cehave Landbouwbetaling. The co-operative society from Veghel (Nordbrabant) produces pet food and is represented with branch offices in Belgium, France, Spain, Germany, Poland and Hungary. The EWC will already operate on the basis of the new Directive. Employee representation bodies are currently also being created in Poland and Hungary.

- [Report on the establishment of the EWC](#)
- [The companies' view of the role of the EWC](#)

### **U.S. packaging manufacturer signs EWC agreement**

An EWC agreement was signed for International Paper in Brussels on January 12th, 2010. The EWC meets twice per year under the chairmanship of the employer, who is also the general secretary. The employees' side elects a speaker and another three members to a steering committee, which meets twice per year. Although the European headquarters is situated in Brussels the EWC agreement is under British law.



This U.S. company employs around 5,500 employees from twelve EU countries, with over half from Poland. The EWC has members from Poland, Belgium, France, Italy and Spain. Countries with few employees are not represented. The definition of information and consultation is based largely on the new EWC Directive.

- [Full text of the EWC agreement](#)

## **6. Legal structures and co-determination**

### **First ever statistics on one-third participation supervisory boards**



On February 2nd, 2010, the Hans Böckler foundation published for the first time figures and data on the development of supervisory boards with a one-third participation of employee representatives. This ruling is valid for companies in Germany with between 500 and 2,000 employees, and joint parity co-determination starts with more than 2,000 employees.

In comparison with figures on joint parity supervisory boards which have been regularly recorded for years (see report in EWC News 2/2009), the survey now available from the University of Jena is a novelty. It identifies almost 1,500 companies with one-third participation. On the other hand there are around 700 companies with joint parity supervisory boards. The data is of significance since many German companies, with just under the 2,000 employees, wish to avoid transitioning into joint parity co-determination by the conversion into Societas Europaea (SE). Although only 72 German companies have, as of 1st April 2010, opted in favour of the SE legal structure, this represents however more than half of the 136 SE in operation throughout Europe. This means of restricting co-determination rights is specifically highlighted in the business press (see report in EWC News 2/2008).

- [Statistics of companies with one-third participation](#) (in German)
- [Complete survey from the University of Jena](#) (in German)
- [Current figures on development of the SE in Europe](#)

### **Escaping co-determination through foreign legal structures**

Besides transformation to SE status, foreign legal structures also offer a means of keeping employee representatives away from supervisory boards. The increase in this kind of co-determination dodging is on a percentage basis as high as that for the SE. The Hans Böckler foundation published an analysis on the subject on March 17th, 2010.



According to the report, the number of international companies which are excluded from German co-determination rights in the supervisory board, solely as a result of a foreign legal company structure, has increased to 37, as of November 2009. The largest company from this group is the U.S. packaging and courier company United Parcel Service (UPS) with around 15,000 employees in Germany. The airline Air Berlin, the textile retail chain Hennes & Mauritz, the haulage group Kühne + Nagel, the direct bank Cortal Consors and the McDonalds fast-food restaurant chain also belong to this group. Besides the British Ltd status, the U.S. Inc and the Dutch B.V. are often resorted to.

- [Press release on the survey](#)
  - [Summary results of the survey](#)
  - [Full text of the survey](#)
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### European Commission consultation on SE statute

The European Commission started a public consultation on the statute of the European Company (SE) on March 23rd, 2010. According to law, in October 2008, it should have already reviewed the directives on employee participation within the SE. The revision was, however, postponed (see report in EWC News 3/2008) and shall now be dealt with at the same time as the revision of the SE statute. The legal counselling firm Ernst & Young was commissioned by the European Commission and presented a report on the operation and consequences of the SE statute on 9th December 2009. The question of employee participation in the SE is however only marginally mentioned.

- [Press release at the beginning of the consultation](#)
- [Full text of the SE statute report](#)

## 7. New SE participation agreements

### Bavarian Cheese producer as SE



Since January 18th, 2010 the Hochland group in Heimenkirch (Germany) is operating as an SE. The family business with its 4,300 employees is one of the biggest cheese producers in Europe. There are production sites in France, Spain, Poland, Romania, Switzerland and also in further countries outside the EU. The SE agreement has no provision for employees in the supervisory board but for a SE works council. Previously there had been no European Works Council in Hochland.

- [Company Press release](#)
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### Instrument Manufacturer relocates headquarters to Germany

Since February 23rd, 2010 the headquarters of the Elster Group has moved to Essen. The company with 7,500 employees in 38 countries was previously registered in Luxembourg. An SE agreement was reached after only two months between the employee representatives from 14 European countries and central management.



Until 2005, the Elster Group operated under a different name as a subsidiary of Ruhrgas. It now belongs to finance investors with headquarters in the Cayman Islands and Luxembourg. The Elster Group does not have a supervisory board and management oversight is instead carried out by an administration board, following the French-Luxembourg model. Only shareholder representatives sit on this board without any employee representatives.

- [Background information: The French model of administration boards](#) (in German)
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### A British energy group establishes SE under German law

Whereas many companies use SE-transformation as a means to restrict co-determination rights the British oil group, BP, has combined its European business into one SE under German law whilst maintaining the previous level of co-determination. As of April 30th, 2010 all petrol station

and refinery activities in Germany, Austria, Poland, Belgium and the Netherlands with 11,600 employees have been brought together under the BP Europe SE with headquarters in Hamburg. Within the coming months the BP companies in Switzerland and in Luxembourg will be added as well as possibly the UK. BP is market leader in Germany with its Aral brand of petrol stations.

The SE co-determination agreement provides for a twelve member joint parity supervisory board in the future with three employee representatives from Germany and one each from Poland, Austria and the Netherlands. The previous supervisory board of the German BP situated in Bochum was also a joint parity-based board. There has already been a European Works Council in place at the group headquarters in London since 1994, covering also other countries. In April 2008 the company reached a European-wide restructuring agreement (see report in EWC News 2/2008). No SE-Works Council is to be established in BP but a special EWC committee will deal with SE specific matters. A similar solution was also chosen for the SCA group in June 2009 (see report in EWC News 3/2009).

### Court ruling strengthens negotiation autonomy

The Nuremberg district court ruled on February 8th, 2010 that one more employee representative may be added to the supervisory board of the consumer research company GfK. In the future it will consist of ten members, of whom four are employee representatives. GfK has been a European Company since February 2009 (see report in EWC News 1/2009).



An agreement had been reached on the extension of the supervisory board between the new SE Works Council and the central management of GfK on April 8th, 2009. It violates a rule in German SE-participation law which specifies that the number of supervisory board seats must be divisible by three. The verdict from Nuremberg gives more bargaining autonomy for the social partners to deviate from the exact wording of legislative text. It also has a consequence on the machine manufacturer MAN whose supervisory board is also not divisible by three (see report in EWC News 1/2009).

- [Interview: Room for negotiation on the size of supervisory boards](#)
- [Background information: Co-determination in the SE](#)

## 8. The view beyond Europe

### Occupational Safety committee meets in South Africa



Members of the ArcelorMittal international occupational safety committee visited sites in South Africa on January 27th and 28th, 2010 to work towards improving safety regulations. The committee was established following an agreement in June 2008 (see report in EWC News 2/2008) and has already initiated programmes in Kazakstan, Brazil, Mexico, Czechia and Romania.

- [Report on the meeting in South Africa](#)
- [Report on situation in Kazakstan](#)

### Social standards in a South African retail chain

An international framework agreement was signed by Shoprite Checkers at their headquarters in Cape Town on February 23rd, 2010. This is the first agreement of its kind in the African retail trade and applies to 1,300 businesses in 17 African countries as well as in India. Negotiations with trade unions had been dragging on for more than three years.



- [Report on the signing of the agreement](#)
- [Full text of the framework agreement](#)

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## The largest British retail chain still without a framework agreement



The Tesco trade union network met in Liverpool on March 1st and 2nd, 2010. This global forum was created in June 2008 (see report in EWC News 3/2008) and is working towards the conclusion of an international framework agreement as well as on the establishment of a world works council. In June 2009 the British trade union, USDAW, which represents the retail trade employees, had come to an agreement with Tesco's central management on the establishment of a European Works Council.

- [Report on the meeting in Liverpool](#)
- [Report on the beginning of negotiations for the EWC](#)

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## First ever international framework agreements in Malaysia and Indonesia

On March 25th, 2010 a framework agreement was signed for the media group, Media Prima Berhad, for the safeguarding of social standards. The company is market leader in Malaysia and operates also in Ghana and the Philippines. A day later, a comparable agreement was also signed for the market leader in Indonesia, the media group Antara.

- [Report on the signing in Malaysia](#)
- [Report on the signing in Indonesia](#)

## 9. Focus on social Europe

### A Dublin foundation investigates labour relations

On December 14th, 2009, the European Foundation for the Improvement of Living and Working Conditions in Dublin presented a survey on social dialog. It had questioned management and employee representatives about the quality of the labour relations in more than 27,000 companies. Some results are given below:



Flexible working hours are very common in Scandinavia, particularly the compensation of accumulated overtime by days-off. Part-time work is most frequent in the Netherlands and the least in Middle and Eastern Europe. Overtime is usually compensated for by time-off in Germany and Belgium, whereas, the payment of overtime is more common in East European countries. The influence of employee representation bodies is the greatest on the topic of occupational health and safety issues and the least in company restructuring. Wage bargaining is most widespread in Italy and Spain and hardly present at all in the Baltic countries.

- [Summary of the survey's conclusions](#)



### New Social Commissioner in office

Since February 10th, 2010, the Hungarian economy professor László Andor (43) has been named new EU Commissioner for Employment, Social Affairs and Inclusion. From 2005 to 2010 he belonged to the administrative board of the European bank for reconstruction and development, was for a long time a business consultant for the socialist government in Budapest and commissioned by the European trade union institute in Brussels for research work on the labour market and the introduction of the euro in Central Europe.

- [The curriculum vitae of László Andor](#)
- [Report on the new EU Commissioner](#)
- [Full text of his European Parliamentary hearing](#)

- [Interview with László Andor on the financial market crisis](#) (in German)

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## Working-time Directive will now be revised

On March 24th, 2010 the European Commission started the first consultation round with the social partners for the revision of the working time Directive applicable since 1993. Negotiations between the council and parliament had failed in April 2009. The social partners now have six weeks to present their positions.

- [Press release on working time Directive](#)
- [Full text of the European Commission's communication](#)
- [Further information on the topic](#)

## 10. Interesting web pages

### European Works Council with its own internet page

The Generali Italian insurance group's EWC has recently put in place a home page of its own in three languages. Reports from EWC meetings, press releases and other important documents may be downloaded from the site. The Generali EWC agreement was updated in 2007 following European-wide protest demonstrations (see report in EWC News 1/2008).



- [The new internet page of the Generali EWC](#)

Sample selection of internet pages of European Works Councils in the financial community:

- [Axa](#)
- [Unicredit](#)



### Campaign for reinforcement of employee rights in banking

During a meeting on March 17th, 2010 in São Paulo (Brazil) the global trade-union organization for the services sector (UNI) together with delegates from twenty countries developed a campaign to persuade the two bank groups HSBC and Santander to sign an international framework agreement. A week of action had taken place previously in both banks in February 2010.

- [Report on the week of action](#)
- [Report on the start of the campaign](#)
- [The new campaign web page](#)

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### Working cross-border in the construction industry

A new web site informs employees in the construction industry on all matters related to foreign posting. It was constructed by both trade unions and employers' federations in this industry. For each EU country, employee rights and obligations can be consulted, details on minimum wages, working time and occupational safety.



- [The web site on the posting of construction workers](#)
-

## Tool against wage discrimination



On March 29th, 2010, the European Commission introduced a salary calculator which determines the pay gap between men and women. Furthermore counselling centres are listed for all EU countries.

- [Information on the salary calculator](#)
- [Gender-specific pay gap calculator](#)
- [Report on the activities of the Spanish EU Council presidency](#)

The Hans Böckler foundation has also put on the internet a new web page on this topic (in German):

- [The Hans Böckler foundation's salary checker](#)
- [Report in the information service BöcklerImpuls](#)

We have arranged various further interesting web-pages into a [collection of links](#).

## 11. New publications

### Country comparison of European Works Councils

A research project at the Ruhr university in Bochum on European Works Councils in the motor industry has been in progress since 2007 (see report in EWC News 2/2007). The results are now available in book form. An English-language publication appeared under the title "European Works Councils in complementary perspectives" at the end of 2009, the German-language title "Transnationale Mitbestimmung?" will be available as of May 2010.

- [The English-language publication](#)
- [The table of contents of the English-language book](#)
- [German-language publication online order](#)



### New legal comments on German EWC and SE legislation



In January 2010, two legal comment books on German Industrial Relations legislation were published with chapters devoted to cross-border works council work. The 122 page third edition of Franz-Josef Düwell's legal comment deals with the European Works Councils and the SE legislation. The twelfth edition of Prof. Dr. Wolfgang Däubler comment also includes a 97 page chapter on EWC and SE law supplemented with a set of forms and a CD-ROM. Both comments have already taken into account the new EWC Directive.

- [Düwell comment book online order](#)
- [Däubler comment book online order](#)

### Reprint: Country profile Turkey

In December 2009, the DGB training institute and IG-Metall trade union published together a country booklet on working conditions in Turkey. This was a completely revised version of the original edition dating from the year 2005. One chapter deals with the state of relations with the EU into which Turkey has been trying to negotiate its entry since 2005 (see report in EWC News 2/2007).

- [Booklet download](#)
- [Booklet order](#)





## British lawyers focus on Consultation procedure

The London based group of lawyers with close union ties, Thompsons Solicitors, deals in the spring issue of its magazine "Labour & European Law Review" with consultation procedures in British companies. One article analyses the legislation from 2005 for information and consultation in the workplace which was the transposition of an EU Directive. Up till now however, this legislation was hardly ever used by British trade unions or employees. Further contributions describe the procedures for mass redundancies and transfer of business, where the legal situation in the United Kingdom was also improved considerably by EU legislation.

- [Magazine download](#)
- [Details of the legislation for the information and consultation in the workplace](#)
- [Booklet on the influence of EU legislation on British labour law](#)

## 12. Training and Consultancy Network "euro-workscouncil.net": Examples of our work

### Second advanced seminar for European Works Councils in Hamburg

The training and consultancy network "euro-workscouncil.net" invites European Works Council members to a second edition of its advanced seminar in Hamburg from January 25th – 26th, 2010. After the great success of the previous year (see report on the EWC advanced seminar in 2009) the event has been extended from one to two days. Altogether 43 participants, with EWC members from 26 companies, were able to follow the presentations given by speakers from both home and abroad.



The agenda of the first day dealt with the legal and practical problems of EWC work, the second day was completely devoted to the theme "participation à la française". This focus on France is to be continued in a German-French EWC conference in Paris on July 5th and 6th, 2010.

- [Flashback of the January 2010 EWC advanced seminar](#)
- [Conference report on participation à la française](#) (in German)
- [Conference paper from the magazine Liaison Sociales Europe](#) (in French)

### Private training suppliers on the increase

According to a survey carried out by the Hans Böckler foundation in February 2010 private suppliers and trade unions share the training market for works councils almost equally within Germany. In 2008 one in every five works council members, representing altogether 80,000 representatives, took part in training.



Under German legislation the costs of such training have to be borne by the employers. This could lead to the development of many private suppliers who would be increasingly in competition with the trade unions. Many such institutes have been created by experts with close ties to trade unions or former trade union officers. The market share for private suppliers is even higher in France. The Hans Böckler foundation had already reported on similar trends in a survey on works council consulting services in December 2007 (see report in EWC News 1/2008).

- [Survey Report](#)

- [Survey results booklet order](#)

The new survey has also reported on the training and consultancy network "euro-workscouncil.net", that not only runs many in-house events but also publicly announced conferences and seminars since January 2009. Over 114 participants from 65 different companies have taken part including almost all trade unions affiliated to the DGB confederation.

- [The seminar program of "euro-workscouncil.net"](#)

### Perfume groups SE works council wants to improve its work

The training and consultancy network "euro-workscouncil.net" is advising the SE works council of the Donata Holding in Ludwigshafen how to improve its work. The main focus is on the creation of working groups and training programs. To this end, an application for financial support is being prepared for the European Commission.



Perfume brands such as Calvin Klein, Davidoff, David Beckham, Jil Sander, Joop and Lancaster come under the umbrella of the Donata Holding and its U.S. subsidiary Coty. As the world's biggest fragrance manufacturer Coty has branch offices in 16 EU countries, as well as Switzerland and Monaco. There was a European Works Council since 1996 which was replaced by a SE Works Council in 2007.

- [Background report on the Coty's structure of ownership](#)



### ver.di/GPA-Newsletter: new version

On January 29th, 2010 another edition of the Germano-Austrian ver.di and GPA EWC newsletter was published dealing with the transposition of the EWC Directive.

Further topics are covered such as: the Deutsche Telekom and IBM European Works Councils, the establishment of the EWC at SAP, the new supervisory board of the Münchner Rück insurance group, contacts between works councils of Interspar in Austria and Czechia as well as Internet and literature tips. The newsletter is developed in conjunction with the training and consultancy network "euro-workscouncil.net".

- [The 1/2010 EWC newsletter of ver.di+GPA](#)
- [Subscription to the ver.di+GPA EWC newsletter](#)

### EWC training project started

In the coming months the "euro-workscouncil.net" training and consultancy network in cooperation with partners from four other countries is organising a number of trainings on the new EWC Directive. The project is commissioned by UNI, the European trade-union organization for the services industry.



- [Press release on the start of the project](#)

### 13. Current seminar schedule

Registration is open for the following seminars and workshops:



**German-French EWC seminar**  
05. – 06.07.2010 in Paris

- [Paris Seminar Program](#)
- [Report on participation à la française](#)
- [Paris seminar registration](#)

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### Specialists seminar in Hamburg for EWC members



#### Transposition of the EWC Directive – current status

24.01.2011 in Hamburg

#### Employee representation in the United Kingdom subsequent to House of Commons election

25.01.2011 in Hamburg

(each day can be booked separately)

- [Further information on this event](#)

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### Seminars from the Institute for further education of works councils (ifb)



Since 1998 the ifb has been offering seminars for European works councils which were developed in conjunction with the training and consultancy network "euro-works council.net".

#### Basic seminar: The path to the European Works Council

07 -- 11-06-2010 in Fulda

08 -- 12-11-2010 in Hannover

#### Advanced seminar: Practical knowledge, EWC special

14 -- 18-06-2010 in Erfurt

15 -- 19-11-2010 in Hamburg

- [Further information about the basic seminar](#)
- [Further information about the advanced seminar](#)

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### In-house events

Please find a survey of possible subjects of in-house events here:

- [Topics for in-house training](#)
- [Topics for in-house lectures](#)

### 14. Imprint

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