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Welcome to issue no. 2 / 2015 of EWC News.

**Der EBR-Fachinformationsdienst**

The Academy for European Works Councils (EWC Academy) 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. When can we talk of collective redundancy?

### Astonishing rulings from the European Court of Justice

The European Court of Justice in Luxembourg passed two rulings on 30 April and 13 May 2015 which define the meaning of collective redundancy. An EU Directive from 1998 obliges the employer to carry out a consultation procedure with the works council or union representatives for collective redundancies.



Collective redundancies exist when a certain number of employees are dismissed for economic reasons within a certain time-frame. The EU Directive only applies starting with ten dismissals in establishments with at least 20 employees. But what is meant by "establishment"? The entire company or only a local entity? The judges in Luxembourg interpret "establishment" to be only the local entity. Employees in small branches hereby lose the right to compensation when they lose their jobs. The ruling is based on two cases in the United Kingdom and one case in Spain, but are binding for the whole EU.

- [Full text of the Directive on Collective Redundancies](#)

### The two cases in the United Kingdom

In January 2009 following the insolvency of Woolworths, the British retail chain, all branches were closed down and 27,000 employees dismissed. 186 outlets of the clothing chain, Ethel Austin were also closed due to insolvency at the beginning of 2010. Since the administrators, in both cases violated legislation by carrying out dismissals without any consultation procedures with employee representatives, labour courts awarded compensation amounting to eight weeks wages to all the employees involved. However only employees at the headquarters, in the distribution centres and in larger shops received this compensation. The dismissed employees in small branches with fewer than 20 employees were left empty-handed, since they were not covered by the EU Directive. They took their case up to the European Court of Justice with support from their trade union, USDAW - without success however.

- [Court of Justice press release](#)
- [Full text of court ruling](#)
- [USDAW trade union press release](#)
- [German viewpoint on the ruling](#) (in German)

### The Spanish case



The second court ruling is related to the closure of the Barcelona branch of Nexea, a subsidiary of the Spanish post office, Correos, in December 2012. The branch office had just under 20 employees. A dismissed employee filed a claim for compensation since there had been no consultation procedure carried out previously with the works council. The Spanish legislation is the only one of all EU countries to use the term "company" for collective redundancies as opposed to "establishment". The European Court of Justice however regarded this as a violation of

EU legislation and rejected the claim for compensation.

- [Court of Justice press release](#)
- [Full text of court ruling](#)
- [Report on ruling](#) (in German)

### The implications for European work councils

The term of collective redundancies is also present in the EU Directive on European works councils. Paragraph 3 of the subsidiary requirements designates collective redundancies to be an exceptional circumstance, giving rise to a consultation procedure with the EWC. Many EWC agreements also use the term collective redundancies. This new ruling from Luxembourg therefore has a direct effect on the competence of many European works councils. The ruling is of particular significance since the European Commission announced the revision of the EU Directive on collective redundancies in April 2015 and has started official consultation procedures with the social partners on the European level (see [report in EWC News 1/2015](#)).

### Forthcoming event

In autumn 2015 the EWC Academy is offering two legal seminars: one in Luxembourg with a visit to the European Court of Justice, another in Hamburg on EWC legislation.



- [The program for both seminars](#) (in German)

### 2. Practical tip: Who is consulted first?

#### Coordination between EWC and national works councils

This is one of the most sensitive issues in cross-border restructuring: when and in which order should the consultation procedures begin and how are they connected with one another? Should the local works council be informed first or does the European works council begin and its opinion awaited before the national level negotiates? The legislator has provided no clear rules on the subject.



On the contrary, Article 12 of the EWC Directive has left the task to the parties involved in the workplace: Information and consultation of the European works council "shall be linked to those of the national employee representation bodies". The German EWC legislation in article 1-7 is a little more precise: "Information and Consultation of the European works council is to take place, at the latest, at the same time as with national employee representatives". However legal issues arise here. The few court rulings related to the topic make either no clear decision or are even contradictory. A significant number of court decisions have only come from France. In several cases there, the consultation procedure on the national level was suspended until the opinion of the European works council was rendered, most recently in April 2011 for the energy group, GdF Suez. Worth mentioning here is also the case of Beiersdorf, the German consumer goods group, from the year 2006 (see [report in EWC News 2/2011](#)). On 7 July 2015, the Dublin based European Foundation for the Improvement of Living and Working Conditions published a legal analysis of the issue.

- [The new analysis on the subject](#)

### What option should works councils choose?

The basic principle behind European works councils and why they at all exist, is to be able to influence any strategic decisions at the level of management hierarchy where the decisions are actually taken. Local works councils can do nothing but react and endeavour to reduce the effects of the decision. Furthermore, local management, as the dialogue partner can hardly modify such decisions and is solely obliged to implement them.

The strongest leverage for defending employee interests comes by putting the EWC consultation procedure upfront and by reinforcing it, e.g. by the local work councils refusing to enter negotiations on social plans until the EWC has rendered its opinion. A remarkable example of this is the "European Solidarity Pledge" made by all of General Motors' local work councils in December 2005, which contains a list of ten principles for socially responsible restructuring. Although plant closures could not be prevented in the subsequent years, the paper has not lost any of its relevance as a benchmark for other companies. The ten points were integrated by the European trade union federations into their guidelines starting from 2005.

- [Full text of the European Solidarity Pledge](#) (in German)
- [Example: Guidelines of the European Metalworkers' Federation](#)

### A reinforced consultation procedure

If a European works council wishes to reinforce its influence, a look at France can be more than useful. France is the motherland of the consultation model and was used as a blueprint for the EWC Directive (see [report in EWC News 3/2011](#)). The basic principles to be respected hereby and how long the procedure lasts in practice can be best judged from a French perspective (see [report in EWC News 4/2012](#)). It is for this reason that more and more European works councils, which are not based in France, are reorganizing their consultation procedures from top to bottom, à la française (see [examples in EWC News 4/2013](#)).

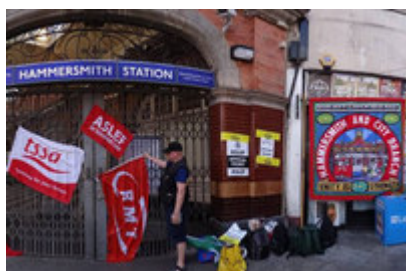
### Forthcoming event

The EWC Academy organizes a seminar on the consultation procedure once a year in Montabaur Castle. Next date: from 29 March to 1 April 2016.

TIPP!

## 3. News from the British Isles

### Preparations for a new "Opt out" in London



On 15 July 2015 the new British Government announced its plans for amending collective labour legislation. The goal is to restrict the right to strike and to make things more difficult for labour disputes such as in the London underground (photo). Strike pickets are to be criminalized, employers given an explicit right to employ temps as strike breakers and a limit put on the financing of the Labour party through union funding. The rules for strike ballots, adopted during the Thatcher era, are to be made much stricter.

Critics regard these as the most radical restrictions in 30 years. The chairman of ASLEF, the train drivers' union spoke of methods which bring back memories of the Nazi period in Germany at the beginning of the 1930s. In the election on 7 May 2015 the conservative party (Tories) once again obtained an absolute majority in the House of Commons for the first time since 1997. The new Secretary of State for Business, Innovation and Skills, Sajid Javid, a son of Pakistani immigrants, is considered a fervent supporter of former Prime Minister, Margaret Thatcher. He was employed in banking since his university graduation at the age of 22 and most recently as a board member of Deutsche Bank International.

Even before the 2017 referendum takes place on whether the UK should withdraw or remain in the European Union (see [report in EWC News 2/2014](#)), the first signs of a retreat from EU social policy are already clearly visible. The Government no longer wishes to transpose the planned EU Directives on working time and temporary agencies (employee leasing) into British labour legislation. This would create a situation similar to the period of "Opt out" from EU social policy prior to 1997. There are also rumours about a reform of the British legislation on European works councils (TICER 2010), to further restrict the little influence that the employees' side already has.

The country's largest trade union, Unite, has threatened with a "no" vote in the EU membership referendum, should the Government opt out of EU social policy. Meanwhile in Brussels, the European Commission could postpone any further EU social policy regulations until after the referendum so as not to upset the British Government.

- [Report on the conservative Government's draft legislation](#)
- [The opinion of the new Secretary of State on the EU referendum](#)
- [Report on the position of the trade union Unite](#)
- [Trade union brochure on the effects of EU labour laws](#)

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### **Comprehensive reform of labour legislation in Ireland**

The parliament in Dublin has been debating the Industrial Relations (Amendment) Bill 2015 since 14 May 2015. The goal of this bill is to reinforce collective bargaining so as to increase the coverage of collective agreements. In the future, reluctant employers will no longer be able to avoid shop-floor collective agreement negotiations so easily. Originally the legislation was already announced for the end of 2013 (see [report in EWC News 4/2013](#)). It originates from a court ruling in the Ryanair case. By using legal tricks the airline had continually kept opposing any real collective bargaining (see [report in EWC News 3/2007](#)).



Further reform legislation, the Workplace Relations Act 2015, has already been adopted and is to enter into force on 1 October 2015. It reorganizes the system of labour courts and the conciliation procedure. In the future there remains only a first instance "Workplace Relations Commission (WRC)" and the Labour Court for the appeal procedure. In the future the responsibilities of the four complaint and arbitration boards, which were established over the last years on various topics, are fulfilled solely by the WRC and remain free of charge. There are only fees amounting to 300 € for the second instance court.

A grand pro-European coalition between the Conservative party, Fine Gael and the Labour party has been in government in Dublin since March 2011. Ireland has a higher level of unionization than the United Kingdom and the Government traditionally co-operates constructively with the social partners. In the Irish Republic there has never been an anti-union climate such as during the Thatcher years.

- [Overview of draft bills](#)
- [Report on collective bargaining bill](#)
- [Contents of the Workplace Relation Act](#)
- [Further information on the website of the Ministry of Labour](#)

### **4. Examples from the EWC agenda**

#### **The long road to new EU standards: yet another EWC dissolved**



Since 1 February 2015, Wärtsilä has been without a European works council. This engineering group from Helsinki had signed a "voluntary" EWC agreement in May 1996 not subject

to the EU Directive. Employee representatives gave six months' notice to terminate it in July 2014. In such circumstances, according to article 14 of the new EWC Directive, the procedure for the establishment of a European works council has to start from scratch. On 27 May 2015, the Special Negotiating Body (SNB) met in Helsinki for the first time to negotiate a completely new EWC agreement. Wärtsilä is the third case where the EWC has been dissolved after the major British bank HSBC and the US IT group Hewlett-Packard (see [report in EWC News 1/2014](#)).

Wärtsilä acquired the German based company, L-3 Marine Systems International (MSI) from a US group in May 2015 with 1,700 employees in 14 countries. Germany will consequently be the second most important country after Finland in the future EWC. If the EWC members had waited for this transaction to give notice to terminate the EWC agreement, they would have come under the protection of article 13 of the new EU-Directive ("structural changes"), i.e. the old EWC would have remained in office until the SNB had concluded a new agreement.

### Forthcoming event

A legal seminar is being held from 28 to 30 October 2015 in Hamburg to examine the effects of "structural changes" in more detail.

TIPP !

- [Legal seminar program](#) (in German)

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### No right to be consulted despite forthcoming mega-merger

The Finnish group Nokia declared on 15 April 2015 its takeover of French competitor, Alcatel-Lucent. Both are infrastructure suppliers for mobile, landline telephony and Internet and each have around 50,000 employees. The goal is to achieve annual savings of 900 M € and a better competitive position against China. Alcatel-Lucent originated in 2006 from the merger of the French Alcatel with Lucent Technologies from the USA and has its headquarters in Paris. Since the sale of its mobile telephone manufacturing to Microsoft in April 2014 Nokia is only a supplier of network equipment.



Coincidentally, the Alcatel-Lucent European works council met only two days later on 17 April 2015. In a press statement it demanded that management communicate a clear business strategy and the potential savings following the merger. It appealed to their social responsibility and demanded job guarantees. It operates on the basis of a "voluntary" EWC agreement from 1995 and has no right to consultation in the sense of the new EU Directive. An attempt to update the agreement during the merger in 2006 had already failed. In April 2007, a labour court in Paris ruled on the scope of business reporting for the "European Committee for Information and Dialogue" (ECID), which is the name of the Alcatel-Lucent EWC (see [report in EWC News 2/2007](#)). Until today, this is the only court ruling that has ever been passed for a EWC on this matter in the whole of Europe.

Nokia's European works council, established in 1993, has no right either to consultation in the sense of the new EU Directive. Although the EWC of the subsidiary, at that time Nokia Siemens Networks, had secured extensive consultation rights in a case in 2013 before the "Co-operation Ombudsman", the arbitration body of the Finnish Ministry of Labour (see [report in EWC News 4/2012](#)). These were however lost again following the sale of the mobile communications division to Microsoft and the restructuring of the Nokia group. The reason behind this is an article in Nokia's EWC agreement which stipulates that it continues to apply as long as there are no better provisions in a new group (see [report in EWC News 3/2014](#)). What was originally meant as a protection, may well prove to have a negative effect on the future joint EWC of Alcatel-Lucent and Nokia.

- [ECID press statement](#)
- [Finnish trade unions' reaction](#)
- [German IG Metall trade union report on merger](#) (in German)
- [Declaration of German and French central works councils from both companies](#) (in German)
- [French CFDT trade union report](#) (in French)

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### European regional committees forging EWC work



33 representatives from twenty countries met together in Manchester on 27 and 28 May 2015 for the 20th plenary session of the Siemens European works council. The "Siemens Europe Committee" (SEC) was already established in 1995 in Germany's largest technology and electronics group. Although the company is made up of a large number of divisions and product groups, no European divisional works councils have been developed, as for example with Airbus

(see [report in EWC News 1/2015](#)). On the other hand, so-called "Cluster-Meetings" for geographical zones in Europe were established in the EWC agreement in May 2008 (see [report in EWC News 2/2008](#)). These regional committees are to be further developed, e.g. for the Adriatic region.

- [Report on EWC meeting](#)
- [Brochure on EWC work at Siemens](#)

## 5. New SE participation agreements

### Negotiations concluded in only a few hours

The software house, GFT Technologies in Stuttgart, concluded a SE participation agreement for its 2,800 employees in the European internal market on 16 December 2014. Almost half of them come from subsidiaries in Catalonia. Since there are only 400 employees in Germany, there is no provision for employee representation on the supervisory board.



The short duration of negotiations between the 13 employee representatives from six countries and central management is remarkable. Whereas legislation provides for up to six months, the Special Negotiating Body (SNB) met only once and unanimously decided to use the legal subsidiary requirements with the following exceptions: the SE works council can hold two annual meetings (instead of only one), however the agendas of management board meetings are not communicated. As compensation, a quarterly teleconference between the members of the Board of Directors and the SE works council takes place. All meetings are carried out in English without interpretation. From the 13 seats in the SE works council five are allotted to Spain, two each to Germany, Italy and Poland as well as one each to France and the United Kingdom. A SE agreement had likewise been negotiated in record time in April 2013 for the car-hire company, Sixt (see [report in EWC News 3/2013](#)).

- [Full text of conversion report](#) (in German)

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### Second German media group with no co-determination



A SE agreement was signed for ProSiebenSat.1 Media on 27 February 2015 in the Munich suburb, Unterföhring. The media company operates six German-language television channels and is present in a further six countries. However only 600 of the 5,000 employees work abroad. It is the second SE conversion in the German media industry to use special provisions for the protection of enterprises in the field of politics, press, education and churches, the so-called "Tendenzschutz", in order to keep the supervisory board

permanently free from employee representation. The publisher Axel Springer has already been operating as a European company (SE) since December 2013 and has a supervisory board with no co-determination (see [report in EWC News 1/2014](#)).

The Special Negotiating Body (SNB) was made up of nine representatives from Germany with one seat allotted to each of the remaining six countries. The future ProSiebenSat.1 Media SE works council, the so-called "European Employee board" (EEB), is composed of up to 15 members, including six from Germany. Apart from legal information and consultation rights it also has rights of initiative on Pan-European relevant topics such as equal opportunities, occupational health and safety, training and skills development. The EEB holds two annual plenary meetings. The three-member board is consulted in extraordinary circumstances, i.e. if at least 5% of the European workforce is involved in two countries. An ad-hoc arbitration board may be established with three representatives each from the works council and central management to settle any disagreements.

Both parties must agree on a chairperson, otherwise the chair is nominated by a labour court. ProSiebenSat.1 Media previously had no European works council.

- [Report on the negotiations](#) (in German)
- [Full text of SE agreement](#)

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### French software house becomes SE

A SE agreement for the 6,000 European employees at Dassault Systèmes was signed on 18 March 2015 in the Paris suburb, Vélizy-Villacoublay. The world market leader for 3D-software is the second largest SE conversion in France in this industry after the Atos IT group (see [report in EWC News 1/2013](#)). Employee representation on the board of directors is not provided for. The French works council may however participate in the meetings in an advisory role according to the provisions of French legislation for national public companies.



The SE works council is composed of 22 members and holds two annual meetings. Six seats are allotted to France, two to Germany and one to each of the additional 14 countries. The eight-member select committee, including its secretary, deputy and treasurer, also meets twice annually. Following the French model, the employer is chairperson and bears all the running costs. This includes the right to seven days training in the first term of office. In addition the SE works council receives the sum of 71,500 € as an annual budget for further training or internal meetings as well as 20,000 € for experts. Additional budgets may be negotiated for extraordinary circumstances. The time-off work provisions have been precisely defined: the secretary has exactly 120 hours (15 days) per year in addition to the time for meetings.

Precise threshold values for small countries have been defined for cross-border restructuring. For example in a country with 250 employees the SE works council is not involved if less than 20% of the workforce is concerned. One particularly weak point of the agreement are the deadlines in which consultation procedures have to be finalized. The SE Directive does not provide for deadlines but they were introduced in January 2014 for the French works council (see [report in EWC News 1/2014](#)).

- [SE conversion press release](#) (in French)

Further information on the legal form of SE can be found [here](#).

## 6. Updated EWC agreements

### Irish food group with new EU standards



An updated EWC agreement for the Kerry Group was signed on 21 May 2015. The company which is based in Tralee on the Atlantic coast in the southwest of Ireland has 24,000 employees world-wide. Since Kerry has considerably grown over the past years through acquisitions, EWC guidelines for such changes in structure have now been set up.

The EWC is composed of twelve members and maintains the same distribution of seats as with the old EWC Directive. This includes three for the United Kingdom, two for Ireland and the remaining ten countries share seven seats. The representatives have a right to training and hold meetings twice per year, always in Ireland. The distribution of seats on the select committee (three representatives from three different countries) also remains unchanged, similar to the old EWC Directive. In extraordinary circumstances the EWC is consulted before the local works councils. There is however one major hurdle: it is only competent if at least 45% of all employees at two sites in different countries are involved. The flow of the consultation procedure has been defined precisely in the new agreement: the opinion is to be rendered, whenever possible, within 15 days following the communication of all information. The company bears all the costs of conciliation or legal proceedings in the case of any disputes. Since the EWC was established in 2006 and the agreement had not been modified in the meantime, the standards of the new EU Directive apply fully.

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## French environmental group clarifies EWC competency

An updated EWC agreement for Veolia Environnement was signed on 8 June 2015 in Paris. The French group with 179,000 employees world-wide does business in energy, water and waste management and transport and has had a European works council in place since 2005 with outstanding provisions. The EWC agreement had even been further improved, most recently in October 2010 (see [report in EWC News 1/2011](#)).



With immediate effect a seat is attributed to each country with at least 300 employees; previously the threshold was at 500. Consequently, the Netherlands, Denmark and Portugal are represented among the 36 representatives from 18 countries. The largest countries beside France (six seats) are the UK and Germany with four seats each. In the future, EWC competence begins already when 1,000 employees are affected by restructuring in only one country. This corresponds to about 1% of the European workforce. Recently in November 2014, a French labour court ruled a threshold of 2.5% as "none-substantial" for the involvement of the EWC (see [report in EWC News 4/2014](#)).

Apart from the permanent funding of experts, which is much more common in France than in any other country, the EWC has a right to paid training and an additional annual budget of 10,000 € for its own use. The transport division of Veolia Environnement no longer falls under this agreement, since they established their own European works council following the merger with Transdev, in July 2012 (see [report in EWC News 4/2012](#)).

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## Italian noodle manufacturer with new EWC agreement



An updated EWC agreement was signed on 10 June 2015 at Barilla's group headquarters in Parma under Italian jurisdiction. It adopts the definition of information and consultation from the new EWC Directive without however structuring the consultation procedure more precisely.

The European works council, established in 2000, is composed of 14 members from five countries who hold meetings once annually. One Italian particularity is the provision for larger countries (Italy, France, Germany and Sweden) to send one additional external trade union officer each to the plenary meetings. A select committee of five representatives, one from each country, carries out the day-to-day business. It meets twice per year and in extraordinary circumstances. The right to training for all representatives is new. In the case of major restructuring the EWC is also competent if only one country is involved. The competency hereby is further confirmed by the word-for-word transcription of the so-called Recital 16 of the EU Directive.

We have compiled a selection of EWC agreements on a [website for download](#).

## 7. Newly established European works councils

### Italian cardboard manufacturer puts an end to works council's absence

A EWC agreement was signed on 26 March 2015 at the headquarters of Reno de Medici in Milan. There had previously been a European works council in place from 1996 to 2008, however it had no longer held any meetings since the acquisition of the European sites of the Canadian group, Cascades. As part of this acquisition, the German manufacturing plant in Arnsberg joined the Reno de Medici group in 2008. The German works council was largely the driving force for initiating the reinstatement of the European works council.



Whereas the old EWC was still based on a "voluntary" agreement, the standards of the new Italian EWC legislation (see [report in EWC News 3/2012](#)) now apply. Reno de Medici has altogether 1,500 employees in Europe who will be represented by 13 EWC members. Seven seats are



attributed to the four Italian sites, three to Germany, two to France and one seat to Spain. One plenary meeting is planned per year, to which external Italian trade union officers are also invited. In addition there are two meetings of the select committee composed of three members (Italy, Germany, and France). One weak point of the EWC agreement is the small budget provided for experts and training, which is mainly to be financed not by the company, but through EU funding.

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### EWC establishment through legal proceedings?



Employee representatives from Italy, Germany, Britain, France, Spain, Belgium and Sweden held a meeting in Pisa on 6 and 7 May 2015 to demand the establishment of a European works council for Sofidel. This family business from Tuscany is the second largest manufacturer of toilet tissue in Europe and has 5,000 employees in eleven EU countries, as well as in Turkey and the USA. In recent years Sofidel has grown considerably through acquisition of European plants of the US group, Georgia-Pacific and the Swedish paper manufacturer, SCA (see [report in EWC News 1/2012](#)).

Central management allowed the deadline of six months for convening the Special Negotiating Body (SNB) to expire. In their opinion EWC meetings are to be held only as a video conference in English and without interpretation. In a press conference the Italian trade unions threatened to legally impose the establishment of a EWC on the basis of the subsidiary requirements of Italian EWC legislation. It would be the first case of its kind in Italy. Following documents are available only in Italian:

- [Report of the meeting in Pisa](#)
- [Italian trade union press release](#)
- [Video of press conference](#)

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### A EWC for Eastern Europe

A EWC agreement for Raiffeisen Bank International was signed on 1 July 2015 in Vienna. This Austrian financial institution has 55,000 employees and a strong presence particularly in Central and Eastern Europe. Besides the two Austrian representatives, all eight of the Eastern EU member states (except the Baltic States) are represented in the European works council with one or two seats. The four-member select committee from four different countries have a right to visit all sites and to hold meetings if necessary. A plenary meeting is held twice per year. The EWC can establish its own working groups and has a right to training. Although the legislator provides up to three years for the negotiations, this result was able to be reached in less than six months. The agreement is based on Austrian EWC legislation, which is considered as one of the best in the EU (see [report in EWC News 1/2011](#)).



- [Report on the signing](#) (in German)

## 8. Pan-European company agreements

### Demography agreement for French Catering and Facilities Management provider



A European agreement for the prevention of workplace age discrimination was signed on 4 March 2015 by central management and the European works council of Sodexo at the company headquarters in the Paris suburb, Issy-les-Moulineaux. Sodexo provides community catering and facilities' management services for companies, authorities, educational institutions and hospitals in 80 countries and is ranked 18th of the world's biggest employers. The agreement aims at maintaining an aging employee population longer in work and motivated. To this end, within a year, all European sites with more than 300 employees are to establish an action plan for the development of senior employees. The implementation is monitored once annually by the EWC board.

Up to now the issue of demography has only been treated marginally by European works councils.

Only the EWC of the French PPR Holding, the parent company of Gucci, the luxury goods group and of Puma, the sports article manufacturer, had concluded a similar agreement in October 2008 (see [report in EWC News 4/2008](#)). A global framework agreement on fundamental social rights was also concluded with the trade unions for Sodexo in December 2011 (see [report in EWC News 4/2011](#)).

- [The Sodexo demography report from 2011](#)
- [Full text of PPR agreement](#)
- The Sodexo agreement is available on request

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### French water and waste group promotes equal opportunity

On 31 March 2015 in Paris the European works council and central management of Suez Environnement signed a European agreement on equality between women and men. Before the end of 2018 the proportion of women with permanent work contracts and in executive positions is to be increased to 25%. The agreement includes a section on wage policy as well as on the prevention of sexual harassment. All subsidiaries with more than 150 employees are to establish an action plan on the subject. The agreement will be monitored by the "employment and training" working group of the European works council.



The EWC was established in July 2013 after the spin-off of the water and waste division from the former parent company, Gaz de France Suez (see [report in EWC News 3/2013](#)). They had already concluded a Pan-European agreement on occupational health and safety in June 2014 (see [report in EWC News 3/2014](#)).

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

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### Italian bank commits to responsible sales business



A joint-declaration was signed between UniCredit's central management and its European works council on 27 May 2015 in Milan. It represents the first ever European level agreement of its kind to be signed in an Italian company. It lays down general principles e.g. on sustainable products, promotion of occupational training as well as a fair and transparent business culture. The EWC had already reached an agreement on the guidelines for training and skills development in December 2008 (see [report in EWC News 1/2009](#)) followed by an agreement on equal treatment and anti-discrimination in May 2009 (see [report in EWC News 2/2009](#)).

- [Report of the signing](#)
- [Main contents of the declaration](#)
- [Full text of the declaration](#) (in Italian)
- [European works council website](#)

## 9. The view beyond Europe

### French car manufacturer establishes World works council

On 24 March 2015, Renault's central management signed an agreement on a World works council with union representatives and its European works council. It is composed of 40 members who meet once annually and is based on an updated EWC agreement. The European works council has now been expanded by nine representatives from other parts of the world, including two each from Morocco and Brazil. The world works council also complements the international framework agreement on social standards from July 2013 (see [report in EWC News 3/2013](#)).



- [Report on the signing](#)
- [Full text of updated EWC agreement](#) (in French)

### Global profit-sharing agreement in Belgian chemicals group



A profit-sharing agreement for 26,000 employees in 52 countries was concluded between management of the Solvay group and its World works council on 29 May 2015 at the company headquarters in Brussels. The World works council ("Solvay Global Forum") was only established in March 2015. After the acquisition of Rhodia, the French chemicals group, Solvay had adapted its EWC agreement in June 2014 to the new EU standards and in previous years had already concluded some exemplary transnational agreements (see [report in EWC News](#)

[4/2014](#)).

- [Report on the signing](#)
- [Full text of agreement](#) (in French)
- [Report on the establishment of the World works council](#)

### Global social standards in major French bank

An international agreement on social standards as well as on human and trade union rights was signed on 2 June 2015 at the headquarters of Société Générale in the Paris suburban office park, La Défense. It is the first agreement of its kind which UNI, the global union federation for skills and services, was able to conclude with a French bank. Although it applies to 148,000 employees in 76 countries, in practice it will however play a particularly important role in central and North Africa. A working group composed of trade union and company representatives will monitor compliance once annually. UNI had previously established a trade union coordination group ("Global Alliance") for Société Générale in a meeting in Marrakech (Morocco) on 14 April 2015.



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

## 10. Interesting websites

### Introducing the European works council on the Internet



The European works council of Safran, the French aerospace manufacturer of engines and electronics based in Paris, has its own website. Besides current news it also includes the contact details for the select committee and all

EWC members. The website is available in French and English. The current EWC was established following a merger in July 2008 (see [report in EWC News 3/2008](#)). Since then, several exemplary transnational agreements have been signed, most recently in March 2015, on skills development and career promotion (see [report in EWC News 1/2015](#)).

- [The Safran EWC website](#)

More European works council websites:

- |                                  |                                 |                             |
|----------------------------------|---------------------------------|-----------------------------|
| • <a href="#">Air France KLM</a> | • <a href="#">Deutsche Bahn</a> | • <a href="#">UniCredit</a> |
| • <a href="#">Axa</a>            | • <a href="#">Generali</a>      | • <a href="#">Unilever</a>  |

## For the first time new statistics also take SE works councils into account

On 19 June 2015, new statistical data on European works councils was published by the European Trade Union Institute in Brussels. It originates from the on-line database of EWC agreement documents which the institute has been maintaining since 2005. It shows that there are currently 1,071 European works councils in 1,007 companies. At present there are negotiations on the establishment of a EWC in progress in 55 companies. Germany with 134 European works councils is still in the lead, followed by France with 118 and the UK with 111. The USA is represented with 163 European works councils, with various national jurisdictions within the EU.

[www.ewcdb.eu](http://www.ewcdb.eu)  
the database on european works council agreements

78 of the 99 SE works councils recorded in the database are based in Germany. Hereby, avoidance or freezing of co-determination rights on supervisory boards during SE conversions often plays an important role (see [report in EWC News 1/2015](#)). Nine SE works councils are based in France and the remaining twelve are distributed over a further nine countries. In the whole of Europe, Germany consequently represents around 80% of all the SE conversions which are relevant to the issue of employee involvement. The only country besides Germany where a slight increase in the number of SE conversions can be observed is France.

- [The EWC database](#)
- [Download of new statistics](#)

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## Employee rights in the United Kingdom



Romania with financial support from the European Commission.

The British Trade Union Congress (TUC) provides information about basic legal conditions for employees in the United Kingdom in a manual available on-line in 13 languages. The manual is aimed at migrants in particular from Eastern Europe and the Mediterranean countries. It was developed as a joint project with trade unions from Hungary and

- [The on-line manual](#)
- [The project website](#)

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## Employee rights in the global economy

On 1 June 2015 the Global Labour University started a new on-line course on globally applicable employee rights and how they can be implemented. The individual training modules are delivered in English by university academics from Berlin and Kassel in Germany, from South Africa and the USA as well as by the International Labour Organization (ILO).



GLOBAL LABOUR  
UNIVERSITY

- [Global Labour University course offerings](#)
- [On-line course video](#)

We have gathered together many other interesting websites into a [collection of links](#).

## 11. New publications



### European works councils in the services sector

This research paper released in December 2014 and sponsored by the Hans Böckler Foundation analyzes EWC activities in six companies. The case studies include Axa, the French insurance group, whose EWC is dealing with the digital transition within the company (see [report in EWC News 2/2014](#)), the packaging company DS Smith with one of the best EWC agreements in the United Kingdom (see [report in EWC News 1/2013](#)) and the Austrian packaging manufacturer, Meyr-Melnhof, where a spectacular conflict was provoked by the closure of an English plant in 2012 (see [report in EWC News 2/2012](#)). The authors from the University

of Fulda have been evaluating the development of European industrial relations for many years (see [report in EWC News 4/2009](#)). The book is only available in German.

- [Further information on the research project](#)
- [Book's table of contents and extract](#)
- [On-line order](#)

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### European works councils in Poland

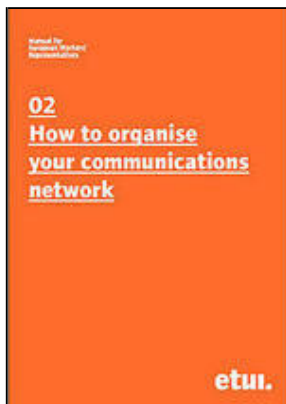
This thesis published in May 2015 deals with the effects that European works councils have on the working environment in the Polish sites of five multinationals. Since there are only 15 Polish companies which come under the scope of the EWC Directive and only one European works council was established under Polish jurisdiction, the author has analyzed companies with foreign ownership. Currently there are representatives from Poland in one in every five EWCs with headquarters in another European country. Besides the impact of Polish EWC members in their site of origin, the study also presents the perspective of Polish management. In Poland, legislation on works councils which was previously highly controversial has been in force since 2009 (see [report in EWC News 3/2009](#)). The book is only available in German.



- [Further information on the book](#)
- [Book's table of contents](#)
- [On-line order](#)

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### EWC communications network manual



The European Trade Union Institute in Brussels (ETUI) published this new manual in April 2015 in eight languages. In the authors' opinion, the communication of EWC members among themselves plays a decisive role in the strength of the whole chain, especially communication between meetings. Hereby the select committee is considered as a "pace-setter". It should be able to communicate in a cross-border, cross language and a cross-cultural manner. The brochure also includes a sample questionnaire for the internal reporting system and an interpretation etiquette for employee representatives, in order to facilitate working with interpreters. A manual from the same series was already published in February 2012 covering organization and conducting of efficient and successful EWC meetings (see [report in EWC News 2/2012](#)).

- [Manual download](#) (in English)
- [Download of other language versions](#)

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### Manual on Corporate Social Responsibility (CSR)

In June 2015, Eurocadres, the Council of European Professional and Managerial Staff within the European Trade Union Confederation (ETUC) published the results of a project on corporate social responsibility (CSR). The brochure is available in seven languages and therefore is also very useful for European works councils. In particular there is a discussion on the issue of middle management who often "sit on the fence". There is also a discussion on possible ways for works councils and trade unions for promoting the topic of CSR. The Eurocadres Council also analyzed the functioning of European works councils in 2013 (see [report in EWC News 4/2013](#)).



- [Manual download](#) (in English)
- [Download of other language versions](#)

We have gathered together a collection of further literature into a [compilation](#).

## 12. The EWC Academy: Examples of our work

### Third meeting of works councils in US companies



This time the annual EWC Academy meeting with a focus on the USA took place nearby Checkpoint Charlie in Berlin on 11 and 12 June 2015. Many of the 17 participants came from companies in the IT and electronics industries including amongst others, Cisco, Oracle and Hewlett-Packard. Hermann Nehls, Counselor for Labour and Social Affairs at the German embassy in Washington, gave a first-hand report on labour relations in the USA. The role of European works councils in US companies was highlighted under the moderation of the former EWC chairman of General Motors, Klaus Franz. Frank Nobis, EWC chairman in the US telecommunications group, Verizon, reported on the activities of their council. The next US meeting will take place in summer 2016.

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### Training for newly-established French EWC

On 11 and 12 June 2015, the European works council of Edenred held its second meeting in Brussels. On this occasion, the EWC Academy delivered training on the duties of a EWC and on corporate social responsibility. Edenred is the world market leader of meal vouchers and was able to establish its own EWC after its spin-off from the Accor hotel group (see [report in EWC News 4/2014](#)).



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### Another restructuring in the Zurich insurance group



A renewed reorganization of the group was on the agenda of the Steering Committee meeting of the Zurich European Forum (ZEF) held from 7 to 9 July 2015. Ten employee representatives from the eight largest countries in the group made the journey to Zürich. Central management had already publically announced its plans on 21 May 2015 at an Investors' Day. 700 jobs are to be slashed.

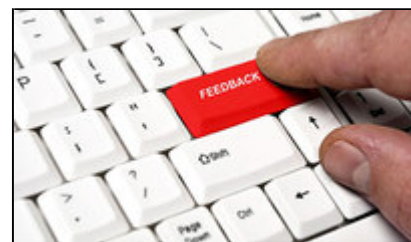
The ZEF, which is the name of the EWC of the largest insurance group in Switzerland, had developed minimum standards for socially responsible restructuring and guidelines for social plans for the first time in May 2014 (see [report in EWC News 2/2014](#)). The further restructuring is now to be used to develop rules for a structured consultation procedure. The ZEF has been assisted by the EWC Academy since November 2014 (see [report in EWC News 4/2014](#)).

- [Press report on Investor Day](#) (in German)

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### On-line questionnaire for European works councils

Since April 2015 a research team commissioned by the European Commission has been examining the practical implications of the changes to the EWC Directive in 2009. One goal of this analysis, to which the EWC Academy in Hamburg is also contributing, is the preparation of a report planned for June 2016 and including concrete propositions for amending the text of the Directive (see [report in EWC News 1/2015](#)).



Interviews are currently underway in companies who established their European works councils starting from 2011. With a view to comparing these results with older European works councils, there is an on-line questionnaire aimed at both employee as well as management representatives. Only companies whose EWC operate according to article 6 of the EU Directive are concerned. These are all European works councils established between 22 September 1996 and 4 June 2009

and whose agreements were not modified during the period between 5 June 2009 and 5 June 2011. The questionnaire is available in three languages and takes about 15 minutes to complete.

- [The on-line questionnaire](#)

### Forthcoming event

The results will be presented during the European works council conference to be held on 7 + 8 April 2016 in London. The original date in October 2015 has been cancelled.



TIPP!

### 13. Current training schedule

The EWC Academy and its forerunner organization have been organizing and delivering conferences and seminars for the members of European works councils, SE works councils and Special Negotiating Bodies since January 2009. So far 625 employee representatives from 236 companies have taken part including many of them for several times. This represents around 19% of all transnational works council bodies in Europe. In addition there are numerous in-house events and guest lectures given to other organizations.

- [Overview of the forthcoming seminar dates](#) (in German)

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### Seminar on French industrial relations in Paris



For the forth time already a conference is being organized from 14 to 16 September 2015 in Paris. On the first day speakers from France will give an introduction to French industrial relations. Another day is for a conference together with French participants (with interpreters). The special highlight on the last day is a visit to a large exhibition for French works councils (with foreign language assistance).

#### Why a conference in Paris?

The philosophy behind information and consultation in the EU Directive on European works councils as well as in employee participation in the European Company (SE) is closely tailored around French consultation practices. An exact knowledge of the subtleties of the French model is therefore indispensable. Participation to the conference is possible according to Article 10 (4) of the EWC Directive and it will be simultaneously interpreted (including English). The following texts are only available in German language:

- [Program and registration form](#)
- [Report of the first Paris event in 2010](#)

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### Language course: Business English for works council members

- 20 - 26 September 2015 in Dublin
- [Further information on our language courses](#)

Full program available on request.

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### Two legal seminars

From 28 September to 1 Oktober 2015 a seminar on EU labour law and its impact on the German labour law takes place in Luxemburg, including a visit to the European Court of Justice. A legal EWC seminar in Hamburg from 28 to 30 October 2015 will deal with subtleties of a EWC agreement, past EWC case law and application of the new EU standards in cases of legal doubt.



- [Program for both seminars](#) (in German)
- 

### **Data protection in the international group**

The global networking of IT systems is continually pushing forward and personnel data is processed internationally and throughout corporations. But what are the possibilities for works councils to control or limit the communication of data within the company? This subject will be covered in a seminar being held from 28 to 30 October 2015 in Hamburg.

- [Program and registration form](#) (in German)
- 

### **In-house events**

Please find a summary of possible topics for in-house events here:

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

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