



Welcome to issue no. 3 / 2011 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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[Dieser Newsletter auf Deutsch](#)



[Cette newsletter en français](#)

Contents:

- [1. First legal proceedings under new EWC legislation](#)
- [2. Practical tip: Correct flow for consultation procedure](#)
- [3. Downsizing on the international agenda](#)
- [4. New EWC legislation](#)
- [5. Renewal of EWC agreements](#)
- [6. Works councils develop transnational solutions](#)
- [7. Italy: Reform of collective bargaining system](#)
- [8. Current trends in Eastern Europe](#)
- [9. The view beyond Europe](#)
- [10. Interesting websites](#)
- [11. New publications](#)
- [12. Training and consultancy network "euro-workscouncil.net": More examples of our work](#)
- [13. Current seminar schedule](#)
- [14. Imprint](#)

1. First legal proceedings under new EWC legislation

Cologne judges rule against injunction order

The new German EWC legislation is already having its acid test in court just a few weeks after it came into force, on 18th June 2011 (see [report in EWC News 2/2011](#)). On 8th September 2011, the State Labor Court of Cologne ruled in second instance against an injunction order and refused the European works council of Visteon, the US automobile supplier, its legal participation rights in the context of a planned plant closure in Spain. On the one hand the court concluded that the rights of the EWC had been denied. On the other, the court could not see a way of enforcing the provisions of the new EWC Directive within the German legal system. All following links are available only in German:



- [Court press release](#)
- [Full text of the ruling](#)

Background information on the court case

Visteon's central management communicated its plans for the closure of a plant in Spain on 23rd June 2011. The European works council subsequently started the consultation procedure, in an extraordinary meeting held on 12th July 2011, by appointing experts from the training and consultancy network "euro-works council.net" to examine the business data and by introducing legal proceedings (see [report in EWC News 2/2011](#)). Although the consultation procedure, including an examination of possible alternatives to the closure, had not yet started, central management wanted to create a fait accompli. To preserve its rights, the EWC had no other choice but to start legal proceedings to stop unilateral action by central management. This corresponds to the basic philosophy of the new EWC Directive and was already successfully put into practice in France under the old legislation (see [report in EWC News 1/2008](#)).

Does the German EWC legislation at all comply with the Directive?

The legal dispute is highly controversial. The issue at stake is whether a European Union Directive can end up worthless in Germany, whereas exactly the same Directive, in France and Belgium, is strongly enforced. Did the German legislator perhaps fail to see the provisions of the Directive for "sanctions that are effective, dissuasive and proportionate in relation to the seriousness of the offence"? A proposal, put forward by the Social Democrats (SPD) during the legislative procedure was rejected on 6th April 2011 by the conservative liberal majority of the German Bundestag. The German DGB trade union confederation had consequently called for legal clarification on the subject even before the Visteon case became publicly known.

- [Full text of the SPD's \(rejected\) proposal](#)
- [Full text of DGB action-recommendations](#)
- [Overview of relevant court decisions in France](#)

Visteon's central management made it clear in the EWC meeting held from 28th to 30th September 2011 in Berlin: the decision for the plant closure had already been taken before the EWC was informed. In the opinion of the employer, the legal provisions for a consultation procedure should exceptionally be dropped in this one case, purposefully violating thereby the new EWC legislation.



The opinion of the EWC chairman: Thomas Rösner

In the plenary meeting held on 30th September 2011 in Berlin and in the presence of the Spanish representatives, the EWC of Visteon decided to use all possible legal means including as far as the European Court of Justice in Luxembourg if necessary. We take the new EWC Directive very seriously.

The current legal case is unique from two aspects:

1. Since the EWC Directive was adopted in 1994 there have been no comparable legal proceedings in Germany which have ended with a decision. The only known case is that of Forbo, a chemical company, which ended up in 2004 before the Labor Court of Lower Saxony with no ruling (see [background report](#)).
2. It is the first legal dispute in the whole of Europe since the new EWC laws have come into force. Should the lawsuit actually come before the European Court of Justice, it would have an effect on all European Union countries – including those who handle participation rights for works councils in a much more restrictive manner e.g. the United Kingdom. Indirect effects would also result for SE works councils.

Legal grey area with financial risks for employers

An irregularity in the consultation procedure can turn out expensive. This was the experience of the Finnish company, Fujitsu Siemens Computers, when it had to make supplementary redundancy payments of 3 million Euros to employees, due to a consultation procedure that had not been carried out correctly. In September 2009 the European Court of Justice used the case as an opportunity to define more clearly the formal flow of a consultation procedure (see [report in EWC News 3/2009](#)).

The opinion of the expert in employment law: Professor Däubler



The Cologne ruling can be contested. The court did not take into consideration what information and consultation really mean under the new legislation. In the opinion of most labor courts the employer may not create any fait accompli during negotiations on the reconciliation of interests; otherwise he can be forbidden from doing so by injunction. The same should apply to the European works council – such as in

France and Belgium. They have obviously forgotten to set the clock forward in Cologne.

European works council action day

On 14th October 2011 the EWC organized a coordinated action day in support of employees concerned by the closure. Apart from protests at the four remaining sites in Spain, open questions from the last EWC meeting, to which central management has not yet replied, were made public in all Visteon plants throughout Europe.



- [Full text of EWC public declaration](#)
- [Video of the protests in Spain](#)

Conference focusing on the court case

During the next EWC conference on 23rd January 2012 in Hamburg, the training and consultancy network "euro-works council.net" will examine the legal consequences of this court case for all European works councils. Speakers will include the EWC chairman Thomas Rösner as well as Professor Däubler.

2. Practical tip: Correct flow for consultation procedure

The "blueprint" for the EWC Directive originates from France

In view of the new legal situation many work council members are confronted with the question of how they can put into practice the new standards of information and consultation. French dominated European works councils have more success in the matter. Why?

When the EWC Directive emerged in 1994, the European Commission based itself on practical examples already in existence. At that time there were transnational forums with employee representatives in 49 companies which were to a large extent French. The Directive is therefore strongly marked by the French model. The word "codetermination" is to be seen nowhere. German employment lawyers, German works councils and German managers are ill at ease with this. In order to understand the correct flow of a consultation procedure, it is therefore worthwhile having a look at French labour legislation.

The rules for Information and Consultation put to the test for many years

A French employer can only implement measures once the information and consultation procedure with the works council has been correctly carried out and concluded. The procedure is finalized once the works council has formulated an opinion. Since the employer wishes to implement measures as quickly as possible, it is in his interest that the works council decides rapidly on an opinion. French works councils are aware of this and often try to delay the consultation procedure. This can create substantial financial pressure and encourage French employers to make concessions. In practice therefore, negotiations take place on both the procedure as well as on the contents of restructuring. Nevertheless there are also many legal disputes in France on the subject.



Over and over again, the implementation of unilateral measures have been stopped by the employment tribunals and workforce reductions can only be made after long delays (see [report in EWC News 4/2009](#)). An incorrectly completed consultation procedure has a similar legal effect in France to a formal irregularity of the employer for individual dismissals in Germany. The measure is then invalid.

If a French works council is familiar with the legal subtleties, in the end it can obtain similar results to a German works council in the scope of codetermination without ever pronouncing the word "codetermination". On top of this there is the individual right to strike, which each employee enjoys as a human right. No-strike obligations do not exist.

- [Background: The French system of employee representation](#) (in German)

The European works council is no longer a song-and-dance act

For the first time, the European legislator has defined the information and consultation procedure for the EWC in this French spirit. Now it is a matter of transposing it into practice and further developing the EWC into a negotiating partner of central management. There exist already examples (see [report in EWC News 1/2011](#)).

Seminar on the implementation of consultation procedures

Once again a seminar will be held in Montabaur castle from 10th to 13th April 2012, for European works council members wishing to optimize their consultation procedures on restructuring on the basis of the new EWC Directive – according therefore to the French model. The seminar is to be held in co-operation with a French consultancy firm for works councils and is also suitable for SE works council members.

- [Seminar program](#) (in German)

3. Downsizing on the international agenda

After three years Nokia moves on



On 29th September 2011, Nokia, the Finnish electronics group announced the closure of its Romanian plant for mobile telephones for the end of 2011. The production, which was only relocated from Bochum (Germany) to Jucu in 2008 (see [report in EWC News 1/2008](#)), is to be carried out in Asia in the future. Labour costs are obviously not the crucial factor here since each Romanian employee costs less than 10,000 € per year and generates a turnover of one million €. The following texts are only available in German:

- [Press release on Jucu closure](#)
- [Study on the history of the plant installation](#)
- [Union background report on closure](#)

The relocation to Romania in 2008 was given wide media coverage in Germany. In the new factory in the beginning there were no employee representatives and even legal proceedings were introduced for the recognition of trade unions (see [report in EWC News 3/2010](#)). The group has now offered three months pay as compensation, and negotiations have been in progress since the beginning of October 2011 with the two trade unions represented in the plant.

Closure of Belgian steel plants under criticism

On 12th October 2011 ArcelorMittal announced the closure of two steel plants near Liège. These are the last blast furnaces in operation in Wallonia, a region dominated in former times by heavy industry. The European works council held an extraordinary meeting on 18th October 2011. This unilateral decision is incomprehensible for the employee representatives, since Lakshmi Mittal, the Indian billionaire who took over Arcelor in 2006, had committed to the existing social dialogue. As recently as November 2009 central management had accepted a comprehensive consultation model for restructuring as part of a European-wide framework agreement (see [report in EWC News 4/2009](#)).



The current trend in the world's largest steel group is to attach an ever smaller significance to social dialogue. Since spring 2010 already there are no longer any employee representatives on the group's administrative board, which is located officially in Luxembourg, but is in fact managed from London. The Indian billionaire Mittal holds personally the chair of the European works council since July 2007 according to the French model (see [report in EWC News 2/2007](#)).

- [Press report on the group's closure plans](#) (in German)
 - [European Metalworkers' Federation press statement](#)
-

British train manufacturers take their protest to the House of Commons



A trade union protest action took place on 12th October 2011, in the lobby of the British House of Commons, to save Bombardier's production site in Derby. 1,400 jobs are to be eliminated in the Canadian group's factory after the British government attributed a billion-euro order for new trains to Siemens. So far the protests have not been able to change the decision, but the government has however promised to help in the search for alternative contracts. An extraordinary meeting of the European works council

had already taken place in September 2011 in Berlin with protest actions against the award of the contracts.

- [Press report on the parliament campaign](#)
- [Report on the EWC meeting in Berlin](#) (in German)

4. New EWC legislation

France passes new EWC legislation

As one of the last of 30 countries within the European Economic Area (see [report in EWC News 2/2011](#)) the Council of Ministers adopted new legislation on the European works council on 19th October 2011 in Paris. In January 2011, the national assembly had authorized the government to make changes to the existing EWC legislation by decree. Despite this simpler procedure the delay comes as a surprise, since in December 2008 the French government was actively pushing on the EU-level for a rapid adoption of the new Directive (see [report in EWC News 4/2008](#)).



The transposition in the French labour code follows literally the provisions of the EU, with one single exception: there is a provision for EWC consultation in hostile takeovers which does not exist in other countries (see [report in EWC News 2/2011](#)). However the key element of the French EWC legislation does not lie in its wording, but in its practical application. In no other European Union country do employment tribunals intervene in infringement of works council rights as strongly as they do in France, the motherland of the consultation model. Following texts are available only in French:

- [French government press release](#)
- [Full text of the decree to amend EWC legislation](#)
- [Explanations on new regulation](#)

German-Belgian Works Council conference in Brussels



Around 25 employee representatives met on 29th and 30th September 2011 in the International Trade Union House in Brussels. Participants included German representatives whose EWC operates under Belgian legislation, whereas some Belgian participants came also from companies with their EWC under German law. On the first day, therefore, the focus was on an exchange of experience on the characteristics of both systems of industrial relations.

Hard sanctions against violation of EWC rights

During the conference, Marie-Noël Dinant from the Belgian Ministry of Labour and the Belgian labour lawyer Prof. Dr Filip Dorssemont (photo) reported on the details of the transposition, which was implemented by a universally binding collective agreement. The possibility is open to European works councils under Belgian legislation to impose, through injunction procedures, enormous fines on central management when the consultation procedure is not respected. The Belgian labour legislation is therefore aligned with the extensive regulations in France.



- [Full text of the new Belgian EWC collective agreement](#) (in English)
- [Conference presentations for download](#) (in German and French)

- [Presentation on the German industrial relations system](#) (in German and French)
- [Presentation of the Belgian Ministry of Labour](#) (in French)

English translations of EWC legislation available

The European Commission has had the texts of all currently available EWC legislations, translated into English. They are available for downloading. Furthermore, on 30th August 2011, it published a review showing how the EWC Directive was transposed in the individual countries. According to this, the following countries have not yet updated their EWC legislation: Greece, Luxembourg, the Netherlands, Poland, Romania and Iceland. In Italy there is only an agreement between the social partners, but still no new legislation.

- [Overview of new EWC legislations with links for download](#)
- [English translations of the national EWC legislations](#) (scroll right to bottom)

5. Renewal of EWC agreements

German machine manufacturer surpasses new EWC standards



A new EWC agreement for GEA was signed on 23rd August 2011 in Düsseldorf. The mechanical engineering group had established its European works council only in 1999 and thereby falls automatically under the new legal situation. Without the legal constraints of the old "voluntary" agreement it was possible to negotiate standards which even exceed those of the new German EWC legislation.

In the EWC there are 35 representatives from 23 countries, including Switzerland and Croatia. If seats remain vacant, the executive committee can take the initiative to organize elections in the individual countries. It has been extended to seven members. Separate divisional meetings take place for the different product ranges in addition to the annual plenary session.

The definitions for information and consultation were more precisely clarified than in the EWC law. Consequently information is to be supplied "as fast as possible and in a timely manner", without the EWC having to make their own investigations and as soon as management starts to think about possible measures. The transnational competence was also formulated more clearly than in the law, to cover, under certain circumstances, even events outside Europe. While a consultation procedure is in progress, EWC members may meet and discuss at any time with local work councils on-site.

Largest British pharmaceutical group sets standard

A new EWC agreement was signed for GlaxoSmithKline on 7th September 2011 in London, concluding discussions which had already begun in 2009 (see [report in EWC News 2/2009](#)). Although it maintains the "joint-body" structure composed of employer and employee representatives, in detail it shows however substantial improvements. As far as British standards go, it can definitely serve as a model. The EWC was established in 2001 after a merger.



The employer still holds chair and the secretary is also nominated by the employer after consultation with the employees' side. The frequency of EWC plenary meetings for the 33 members from 19 countries remains unchanged at one per year. There is however an increase in the number of steering committee meetings. In the future it will be composed of six employee representatives from six countries, and will meet six times per year, including four times with central management. Any extraordinary meetings are not included in the count.

The definition of information and consultation corresponds to the new legal situation; however the delay for rendering an opinion has been limited to ten days. The procedure takes place before the final decision of central management on the implementation of a measure. The steering committee will even be informed, should only one single country be concerned. The agreement plans time-off for all EWC members, so that they can inform employees from their own country and collect their opinion. This is particularly important for countries where there are no works councils.

Austrian building materials' manufacturer renews old agreement



A new EWC agreement was signed on 20th September 2011 in Vienna for Wienerberger. The world's market leader in brick manufacturing had already a "voluntary" based EWC in place since 1996 and has now updated its fundamentals. This was therefore the first renegotiation to be concluded successfully in the Alpine Republic, since the entry into force of the revised Austrian EWC legislation.

In the future each EWC member has an individual training quota of five days per year, with in particular, provisions for language courses. The steering committee has been increased to five members, from at least three different countries. It meets twice a year, which does not yet meet with the new Directive's standards, but it has however a right of access to all business locations. The plenary is held once annually. One positive feature are the workshops held between EWC members and regional management in the individual European geographical regions.

Information (but not consultation) has been defined in the same spirit as the new legislation and provisions made for an own right to experts, in addition to trade union advisors. One particularly noteworthy feature: after notice is given for termination of the EWC agreement there will be no period where the works council does not exist. This is normally the threat with old agreements signed for the first time before 22nd September 1996.

- [Background: the legal features of old agreements](#) (in German)

The texts of EWC agreements are available for download on a [special website](#).

6. Works councils develop transnational solutions

Occupational safety as EWC topic

Lafarge, the French building materials' group, has reinforced the importance of occupational health and safety in co-operation with its European works council. A bi-lateral declaration was signed on 1st June 2011 in Paris which not only lays down fundamental principles, but also delegates tasks to the EWC.



In the future in each EWC steering committee meeting, central management will present data from all countries on accidents at work. The EWC's health-working group meets two or three times per year to discuss current health concerns. Every employee in Europe can lodge a complaint with the EWC, should no remedial action be taken in the country beforehand. A similar charter was signed in June 2010 for Etex, the Belgian building materials' group (see [report in EWC News 2/2010](#)).

- [Presentation on occupational safety as EWC topic](#) (in German)

French insurance group regulates long-term personnel planning



Following on from comparable agreements in the metalworking industry, a European-wide framework agreement on provisional personnel planning was also signed for the first time in the insurance industry on 14th September 2011 in Paris. Since 2005, the Axa group has already implemented nine principles of social dialogue in restructuring, which also apply to national businesses with respect to their national works councils and which were incorporated into the EWC agreement in 2009 (see [report in EWC News 2/2009](#)).

- [The principles of social dialogue](#)

The new framework agreement outlines the creation of a European-level observatory for occupational skills. This will identify professions which are on the rise or on the decline or which

have been newly created. As a result concrete measures are to be developed so that the employability of Axa employees can be improved. Redundancies and social plans are to be implemented only as a last resort, once all other measures from the agreement have been exhausted.

Danone avoids health risks

A globally applicable agreement on health, safety, working conditions and stress was signed for Danone, the French food producer on 29th September 2011 in Paris. It designates trade unions as the social-dialogue partners and grants the right for individual employees to leave the workplace in the case of health risks. There are in addition provisions for regular medical surveillance. Nobody is to be discriminated against because of health problems. In June 2007 Danone had already concluded an international anti-discrimination agreement (see [report in EWC News 4/2007](#)) and since October 2009, the EWC has met regularly with employee representatives from other parts of the world (see [report in EWC News 4/2009](#)).



- [Full text of the agreement](#)

7. Italy: Reform of collective bargaining system

Greater legal certainty at company level

While the government is still battling with the consequences of the economic and financial crisis and its own scandals, Italian social partners have taken an important step towards enhancing co-operation and legal certainty at the company level. An "interconfederal agreement" was signed on 21st September 2011 in Rome between the three large trade union confederations CGIL, CISL, UIL and the employers' confederation, Confindustria, opening a new chapter in Italian industrial relations.



Such agreements of the umbrella organizations have considerable practical significance in Italy, similar to the Collective Bargaining Act or the Works Constitution Act in Germany. The following new rules were already laid down in a draft from 28th June 2011:

The agreement sets down clear rules for the recognition ("representativity") of trade unions.

A trade union is considered representative, when it is able to organize more than 5% of all employees within a particular industrial sector throughout Italy. The measurement of representativity is determined in a two-stage process by public institutions and acknowledged in an official document. Only representative unions may put forward candidates for elections to the workplace representation body RSU. Since company agreements are negotiated by the RSU, non-representative unions are therefore automatically excluded from collective bargaining policy. There are no German-style works council agreements due to the lack of co-determination. Therefore all in-house questions have to be regulated within the framework of free collective bargaining.



The agreement opens the door to derogations from sectoral agreements.

In crisis situations the RSU can agree on special in-house arrangements with the employer and deviate from sectoral collective agreements. Such agreements require however approval from the next level of trade union authority.

The agreement regulates the binding force of in-house collective agreements.

In the future any in-house collective agreements concluded by the RSU are also legally binding for those minority trade unions who have spoken out against them. They can only prevent the entry into force by requesting a ballot within ten days, and in which more than half of the workforce rejects the collective agreement. Just as in German works council agreements, any in-house agreements concluded by the RSU apply to all employees of the company.

A no-strike clause is not feasible in practice.

If the contracting parties submit voluntarily to a no-strike clause, this applies only to the federations. Individual employees maintain their personal right to strike, which is typical for the countries of the Latin-Mediterranean cultural area.

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

- [Report on contents of the interconfederal agreement](#) (in German)
- [Workplace representation in Italy](#)
- [Main features of the RSU for the download](#) (in German)

Similar evolution to France

The new rules in Italy are more or less on a similar track to the new French industrial bargaining legislation, which came into force on 1st January 2009 and which was itself based on the Spanish model (see [report in EWC News 4/2008](#)). It is amazing that a comparable limitation to the unregulated competitive bargaining system in Germany has not yet taken place.

- [Presentation on collective bargaining coverage in Europe](#) (in German)

8. Current trends in Eastern Europe

Hungarian government plans on violating European Social Charter

On 1st October 2011, 50,000 people protested in Budapest (photo) against restrictions to trade union rights and absence of social dialogue. The nationalist conservative government plans changes to the labour code which are incompatible with the European Social Charter. Amongst others, there are suggestions to restrict the bargaining rights of trade unions, as well as the elimination of protection rights against dismissal for employee representatives and pregnant women. The government has a two-thirds majority in parliament. This is the first time since the Thatcher years that a European Union country has expressly spoken out against social standards. Since January 2011, a particularly severe restriction to strike rights has already been in operation.



- [Overview of the planned measures](#) (in German)

The European Trade Union Confederation (ETUC) has in the meantime warned that the European Commission in Brussels should not tolerate these violations to the law. A strongly divided trade union landscape is also problematic: in a country with 10 million inhabitants there are six competing trade union confederations. Employee representatives from Volkswagen expressed their solidarity in a meeting on 24th September 2011 in Győr.

- [ETUC press statement](#)
- [Critical report on unsatisfactory union co-operation](#) (in German)
- [Petition for freedom of press in Hungary](#)
- [Report on the trade union solidarity at Volkswagen](#) (in German)
- [Background: Collective labour legislation in Hungary](#) (in German)



Trade union rights also under attack in Slovakia

Since 1st September 2011 a new labour code is in force in Slovakia which makes trade union recognition substantially more difficult following the British example. In the future unions must provide the proof that at least 30% of employees within a company belong to them as members, in order to be recognized. The Confederation of Slovakian trade unions has asked the International Labour Organization (ILO) in Geneva to examine the new rules.

Slovakia has been a euro-zone member since 2009 and as "the work bench of the West" is predominantly characterized by the automotive, metalworking, mechanical and electrical engineering industries. Up to now the country still had a relatively employee-friendly, although somewhat complicated labour legislation.

- [Report on new labour code](#) (in German)
- [Contents of the new legislation](#) (in German)
- [Background: Employee participation in Slovakian companies](#)

Restrictive strike rights come under criticism in Lithuania

On 5th August 2011 the labour court in Klaipėda prohibited an industrial dispute which had been planned for a long time at Švyturys-Utenos Alus, the largest brewery in the country. A strike ballot had previously been organized in the brewery, which belongs to the Danish Carlsberg group, but since 20th June 2011 management has continually delayed the strike with provisional injunctions. The three Baltic States have restrictive strike rights which include many formal obstacles similar to the UK. Lithuania is currently recording the highest economic growth of all EU countries.



- [Background info on the industrial dispute](#)
- [Report from the federation of international food trade unions](#)

Further information on Central and Eastern Europe

More detailed information on individual countries in Central and Eastern Europe can be found in the following publications, which are available only in German:

- [Overview: Works councils in the European Union accession countries](#)
- [Brochure on employment legislation in Central and Eastern Europe](#)

Conference on current developments

On 24th January 2012 a conference is being held in Hamburg for members of European works councils who wish to familiarize themselves with the current situation of employee representation in Poland, Czechia, Hungary and Romania.

9. The view beyond Europe

Visits to Russia and China



On 19th and 20th July 2011 Rhodia's hygiene and safety committee visited the Serpukhov plant near Moscow, to check compliance with minimum standards. The committee was set-up in 2010 on the basis of the international framework agreement concluded in 2005 between the French chemical company and the unions and which was revised in 2008 (see [report in EWC News 1/2008](#)).

From 19th to 21st September 2011, a trade union delegation then visited the premises of Rhodia in China in order to learn about the local social dialogue. In the Shanghai plant, for the first time, 35 employee representatives were elected to negotiate a collective agreement.

- [Report on health and safety in Russia](#)
- [Report on the visit to China](#)
- [Full text of the framework agreement](#)

Global trade union forum established for Manpower

On 5th September 2011, the Confederation of service sector trade unions UNI at its headquarters in Nyon, Switzerland, launched a global union alliance for Manpower (photo). The U.S. employment agency has offices in 4,000 locations in 82 countries with around three million employees. Such global union alliances are often the first step towards establishing a world works council.



Belgian materials technology group revised agreement



The European works council of Umicore has also participated in the monitoring process of an international framework agreement which has been in place since 2007, e.g. during their visit to South Africa in January 2011 (see [report in EWC News 1/2011](#)). After evaluation of the practical experience, the agreement was revised. The signing took place on 6th September 2011 in Brussels.

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

10. Interesting websites

Trade union network in Scandinavian bank



Employee representatives of the Swedish finance group, Nordea, from the four Scandinavian countries and Poland introduce themselves on their own English-language Internet site. The five countries have established an international Nordea Union Board (NUB). Furthermore, Nordea continues to dispose of a European works council, in place since 2006, to which belong also the three Baltic States, Germany, Luxembourg and the United Kingdom.

- [Nordea Union Board website](#)

Collective bargaining results in individual countries



Current developments in collective bargaining within individual EU member countries have been documented by several European trade union federations on the Eucoban-network website. Other reports on industrial disputes, national legislation, European Union initiatives and position papers on the economic crisis are to be found there.

- [Eucoban-network website](#)

Finance industry should serve the community

The non-profit association, Finance Watch, was founded on 30th June 2011 in Brussels on the initiative of several members of the European Parliament. Beside consumer protection groups and trade union federations, its members include the European Trade Union Confederation (ETUC). The association aims to develop a counterforce to the lobby of the finance industry.



- [Finance Watch website](#)

Database on transnational company agreements



On its website, the European Commission has put in place a database where the contents of agreements concluded at company level between European work councils and/or trade unions and central management can be consulted. It covers agreements which involve more than one country and which address issues of: minimum social standards, equal treatment, health and safety or the consequences of restructuring.

- [Database on transnational company agreements](#)

We have arranged numerous other interesting websites into a [collection of links](#).

11. New publications

EWC landscape shortly before transposition of new legislation

This preliminary report was presented by the European Trade Union Institute (ETUI) from Brussels at the European Trade Union Confederation (ETUC) congress in May 2011 in Athens. The 21 page report analyzes the operation and composition of European works councils. The evaluation is based on statistical data from the institute's EWC database. By these means one can compare the goals of the new Directive with practical advances made so far. The study is part of a more comprehensive analysis which is to appear shortly as a book.

- [Report download](#)
- [ETUI Database](#)



Evaluation of intercultural co-operation

Over the past few years the University of Erlangen-Nuremberg has scientifically analyzed transnational co-operation between employee representatives during European works council meetings (see [report in EWC News 2/2007](#)). The central question here was what basic environment makes co-operation successful. The empirical results from three case studies in the automobile and automobile supplier industries have now been presented in a book published on 30th August 2011. Inside the researchers evaluate, primarily, the intercultural co-operation between employee representatives from Germany and their colleagues from Central and Eastern European countries and show how a common strategy can be developed. The book is available only in German.

- [Further information about the book](#)
- [Table of contents of the book](#)
- [On-line browse of book](#)
- [Description of research project](#)

Social Media and their effects on campaigns

On 6th September 2011, ACAS, the national British advisory and conciliation service, released a manual on the use of social networking. Practical examples from the past few months show how the process of social conflict and industrial disputes in the United Kingdom has been radically modified by Internet-based communication channels. The manual highlights the effect of social media on employers, trade unions and employee representatives, as well as the basic legal environment.

- [Presentation of the new manual](#)
- [Manual download](#)
- [Tips on the creation of social networks](#)
- [English grassroots network of shop stewards on the Internet](#)





Guide for cross-border employees

The new edition of a manual, offering assistance for employees who are either temporarily or permanently employed in another EU-member state, was released on 13th September 2011. Which employment legislation is applicable in a specific case? How to deal with pension rights? Which legislation is applicable for social security and right of residence? Where to pay which taxes? All these questions are covered in individual chapters. The manual is available free of charge, in four languages, from the European Trade Union Confederation (ETUC) in Brussels.

- [Full text of the manual](#) (in English)
- [Download of other language versions](#)

We have arranged further technical literature on a [literature website](#).

12. Training and Consultancy Network "euro-workscouncil.net": More examples of our work

EWC from medical equipment industry drills consultation procedure

The EWC of the US company, Stryker, was reestablished for a new term of office in Rome from 19th to 21st September 2011. Since nearly all representatives from the ten countries had been elected to the EWC for the first time, Dr Werner Altmeyer and Bernhard Stelzl from the training and consultancy network "euro-workscouncil.net" provided a two-day training module. In a business simulation, EWC members were able to familiarize themselves with the practical challenges of restructuring and a consultation procedure on the basis of the new EWC Directive.



Seminar on the renegotiation of EWC agreements

From 10th to 12th October 2011, employee representatives from Germany and Austria came to the Wartburg Castle in Eisenach, to discuss the contents of their EWC agreements. Prof. Dr Wolfgang Däubler explained the most important aspects of the new legislation. Nine companies from the IT and telecommunications, building services, retail, ophthalmic optics, metal and chemical industries were represented in the seminar.

Pharmaceutical works councils discuss new legal situation

From 17th to 19th October 2011, 48 works council members from 25 companies in the pharmaceutical industry came to Hamburg. At the meeting, Werner Altmeyer from the training and consultancy network "euro-workscouncil.net" explained the systems of industrial relations in the EU and features of the new EWC Directive. In the pharmaceutical industry, according to many participants, there is a lot of catching-up to be done to bring the practical work in line with the new standards.



13. Current seminar schedule

The training and consultancy network "euro-workscouncil.net" has been organizing and delivering conferences and training seminars for the members of European works councils, SE works councils and special negotiation bodies since January 2009. So far 269 employee representatives from 130 companies have taken part (representing about 13% of all companies in Europe with an established EWC). The majority of participants came from Germany, France and Belgium, but a further eight countries were represented. Following is an overview of the planned events:

English language courses for works council members

13. – 18.11.2011 in Esher Place (near London)

- [Language course program](#)
 - [Language course registration](#)
 - [Further information on our language courses](#)
-

Hamburg Conference for European and SE works councils

As every year, a two-day conference will be again held in Hamburg. The topics:

Monday, 23rd January 2012: Beyond information and consultation – developing EWC and SE works council into negotiating partners for central management

Tuesday, 24th January 2012: Employee representation in Central and Eastern Europe

Both modules may be booked separately or together. The program is currently in preparation. Interpretation for the conference is provided in three languages (German, English and French).

- [Hamburg Conference report 2009](#) (in German)
 - [Hamburg Conference report 2010](#) (in German)
 - [Hamburg Conference report 2011](#)
-



EWC seminar on the implementation of consultation procedures



A EWC seminar will be held, from 10th to 13th April 2012 at Montabaur Castle, focusing on the new legal situation of information and consultation in the context of restructuring. How can a European works council concretely organize the consultation procedure and prepare a legally water-tight opinion? This seminar is also suitable for SE work council members.

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

EWC Starter-day

A basic seminar will again be held in parallel. It is aimed at newly elected European works council members and at work council members wishing to inform themselves on the steps required for the establishment of a new EWC.

- [Starter-day program and registration form](#) (in German)
-

Seminars of the Institute for Further Education of Works Councils (ifb)



Since 1998 the ifb has been offering EWC seminars which were developed in conjunction with the training and consultancy network "euro-works council.net". The seminars are held in German language only.

Basic seminar: The European Works Council from A to Z

07. – 11.11.2011 in Rottach-Egern
21. – 25.05.2012 in Hamburg
26. – 30.11.2012 in Cologne

Advanced seminar and exchange of experience

04. – 08.06.2012 in Hamburg
03. – 07.12.2012 in Erfurt

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

Workshop for SE works council members

In 2011 the training and consultancy network "euro-works council.net" will be organising another SE workshop. Since the number of SE works councils is still relatively small, the next date will be coordinated with any interested participants by telephone. Anybody interested should please fill in and return the following questionnaire.



- [SE works council questionnaire](#) (in German)

In-house events

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

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

14. Imprint

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