



Welcome to issue no. 3 / 2013 of EWC News.

2 October 2013

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.
You can download this newsletter as a [pdf file](#) and print it out.

You can find past issues in the [newsletter archives](#).



[Dieser Newsletter auf Deutsch](#)



[Cette newsletter en français](#)

Contents:

- [1. Is the European Commission violating the EU-treaty?](#)
- [2. EWC communication censored](#)
- [3. Nomination of British EWC members](#)
- [4. Constitutional court strengthens Italian trade unions](#)
- [5. Plant closures in France under criticism](#)
- [6. Establishment of transnational works councils](#)
- [7. Updated EWC agreements](#)
- [8. Social standards in Europe](#)
- [9. Worldwide social standards](#)
- [10. Interesting websites](#)
- [11. New publications](#)
- [12. The EWC Academy: Examples of our work](#)
- [13. Current seminar schedule](#)
- [14. Imprint](#)

1. Is the European Commission violating the EU-treaty?

European Union Directive on socially responsible restructuring at a standstill



On 2 September 2013 the European Trade Union Confederation (ETUC) filed an official complaint with the European Union Ombudsman. It concerns the European Commission's lack of action on the "Cercas Report", a legislative initiative for the management of company restructuring, which was initiated in January 2013 by the European Parliament (see [report in EWC News 1/2013](#)). The commission had until mid-April 2013 to submit draft legislation.

Trade unions and the European Parliament consider this lack of action to represent a violation against the Lisbon Treaty, which is the fundamental pact in force since 2009 defining the functioning of the European Union. The Ombudsman is responsible for examining complaints on irregularities in the administration of EU-institutions and for submitting suggestions on solutions to conflict. It cannot however force any legislative initiative. The matter is just as explosive as the revision of the EWC Directive.

- [Full text of the "Cercas Report"](#)
- [ETUC press release](#)
- [Full text of complaint with the Ombudsman](#)

The European Commission is planning to release a declaration on the "Cercas Report" before the end of 2013. This will include examples of best practice in socially responsible management of company restructuring, but will not contain any political recommendations. According to the European Commission any legislative initiative would neither be accepted by employers nor obtain wide support in the Council of Ministers. The center of attention is now therefore drawn to a completely different question: what role does the European Parliament play at all in the legislative process? After all, the "Cercas Report" was adopted with an outstanding majority of 503 deputies with 107 votes against and 72 abstentions.

How do transnational company agreements stand?

We can also look forward with great interest to the ongoing developments in a second initiative from the European Parliament. The "Händel Report" was adopted by a large majority during a plenary session on 12 September 2013 in Strasbourg (photo). 393 deputies voted in support of legal recognition for transnational company agreements with only 84 votes against and 19 abstentions. There had already been a large majority on the subject in the economic and social committee in June 2013 (see [report in EWC News 2/2013](#)).



The question also arises here whether the European Commission will remain inactive given the obstructive attitude of the employers' associations. The topic has already been on their agenda since 2005. More recently, in September 2012, the Commission had opened discussions on a legislative initiative and started a consultation on the subject (see [report in EWC News 3/2012](#)).

The text from the European Parliament addresses a number of issues which need to be legally regulated: apart from legal enforcement of company agreements there should also be provisions for out-of-court settlement of disputes. However, the fact that European works councils are to have no mandate to negotiate and act only in an advisory capacity to external trade union officers, is problematic. The reality in the workplace is somewhat different: in many cases the German model has in fact become accepted, whereby company employee representatives lead the negotiations and end up also signing themselves.

- [Summary of resolution contents](#)
- [Full text of resolution](#)

Forthcoming event

These legislative initiatives will be on the agenda of the EWC Academy conference to be held on 24 and 25 October 2013 in London.

- [Program of the EWC conference in London](#)



2. EWC communication censored

German labour court prohibits access to Intranet



According to the Lörrach labour court ruling on 26 June 2013, a European work council has no right to directly communicate with the workforce on the Intranet, if there is a works council present in the respective country or workplace. The judges prohibited the EWC of Amcor, the Australian packaging company, from giving the workforce access, via the Intranet, to a report on a EWC meeting held in October 2012. There had been disagreement with central management over the contents of the report. They proposed to publish a joint declaration. The European works council however, wanted to publish its own uncensored viewpoint. In the meantime an appeal against the ruling has been submitted and the Freiburg District Labour Court will soon deal with it.

The court referred to Article 10 Paragraph 2 of the new EWC Directive, according to which the EWC has to inform only the local works councils. Only if there are no local employee representatives, should the employees be directly informed. Formally speaking this interpretation is correct. However the formulation is aimed rather at strengthening the small countries without works councils and not at restricting communication (see [report in EWC News 3/2012](#)). The heart of the question is whether central management may censor EWC communication. Anglo-Saxon based companies sometimes attempt to do this to prevent wherever possible the employees side from having its own (critical) communication channel.

European labour legislation seen through German eyes

The ruling's legal justification contains a typically German remark, which can only come as a surprise to other EU-countries:

For the protection of local work councils' work, as well as for industrial peace and the orderly flow of operations it appears meaningful and appropriate not to expose employees to different reports and information from employee representation bodies.

If this had been the intention of the European legislator: how could it be enforced in Hungary, Belgium or Spain? In what way can employees in a French company with the multiplicity of competing trade unions, allow themselves to be protected from "different reports and information"? Trade unions represented in French works councils often have their own websites, not only on the Intranet, but frequently also on the publicly accessible Internet. While the minutes of EWC meetings are still declared as "confidential" for employee representatives from the United Kingdom, they are at the same time already available for download on French websites (see [report in EWC News 2/2012](#)). The following texts are available only in German:

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

Amcor, the Australian packaging company

The European works council was established in 1998 under German jurisdiction and its EWC agreement last updated in 2002. It is consequently automatically subject to the new EWC Directive, similarly to the legal case of US automobile supplier Visteon (see [report in EWC News 3/2011](#)). Amcor has its European headquarters in Zurich. The European workforce grew strongly in 2010 through the acquisition of the packaging division of the British-Australian raw materials group Rio Tinto Alcan (see [report in EWC News 4/2009](#)).

3. Nomination of British EWC members

Arbitration board validates election

For the first time, on 26 July 2013 in London, the Central Arbitration Committee (CAC) passed a ruling on the election process for British European works council representatives. The court case was sparked off by the question of whether British representatives in Safran, the French electronics and arms manufacturer, should be nominated by the Unite trade union or elected by the workforce, similarly to works council elections in Germany or France. The CAC ruled in favor of an election.



Following an announcement to start elections made by the British management of Safran, on 11 April 2013, the Unite trade union filed a complaint on 15 April 2013. The CAC operates in such matters as a first instance labour jurisdiction in the United Kingdom. The Safran EWC agreement was signed in July 2008 (see [report in EWC News 3/2008](#)) and contains a formulation for the election of representatives which is common in nearly all European works councils: the election should take place according to the respective national regulations of the representative's country of origin. The British EWC legislation (TICER) explicitly prescribes an election. The respective trade union may nominate without an election only if the entire staff in the United Kingdom is covered by trade union recognition. In Safran a large part of the British workforce is unionized, but one quarter not.

- [Full text of ruling](#)

No tradition of works councils

This court case highlights a difficulty in labour relations in Anglo-Saxon countries where there is no tradition of works councils which are elected according to equal and universal suffrage by the workforce. If there had been a Safran Group works council in the UK, such as in Germany or France, Unite would have probably obtained the absolute majority of seats and both Unite representatives would have been elected without a problem. British mentality and British labour legislation are however hardly compatible with continental-European customs. Although the British legislator did pass a decree on company level information and consultation committees in 2005 - a sort of "works council light"- in practice however still little use is made of it (see [report in EWC News 2/2012](#)).

Guaranteeing a democratic election process

An important task for the EWC is to monitor the democratic legitimacy of representatives (see [report in EWC News 3/2007](#)). Standing rules for elections could be of great help here. The EWC could also request a protocol for the orderly running of elections from each country. In critical cases it is not sufficient to delegate the issue to the country concerned and not to worry about it any further.

Forthcoming event

Current developments in British labour legislation are to be covered in the EWC Academy works council conference on 24 and 25 October 2013 in London.



- [Program and registration form](#)

4. Constitutional court strengthens Italian trade unions

Militant metalworkers' trade union secures work council mandates



For several years a power struggle has been raging between the FIOM, the metalworkers' trade union in the CGIL, the largest Italian trade union confederation, and Fiat's management. The country's largest car manufacturer represents one of FIOM's main areas of membership. On 23 July 2013 the Constitutional court in Rome ruled an article from the Italian labour code to be unconstitutional. To preserve legal certainty, Fiat has, in consequence, requested the government for legislation on company-level trade union rights.

After the company withdrew from the employers' federation and from the metalworkers' sectorial agreement, there have been shop-floor agreements in force since 1 January 2011, which were signed by four trade unions – including the Christian union, CISL and the left liberal, UIL. The FIOM which originated from a communist background was not prepared to sign. In a referendum held in the main Turin plant, 54% of the 5,000 employees voted in favor of the shop-floor agreement, which provides for more flexible working contracts, longer shifts and shorter breaks. In return the employer has promised to invest more than one billion € in the factory. Such events at Fiat always send a strong signal to the entire Italian collective bargaining system.

The shop-floor agreement includes a provision by which representatives on the combined union representation body, RSU, are no longer elected by the workforce but directly nominated by trade unions - however only by those recognized trade unions which signed the shop-floor agreement. As a result, FIOM has been excluded from any say in the decision-making. The Constitutional Court however has ruled that this restricts trade-union freedom.

The inter-confederal agreement of 2011

The legal security demanded by Fiat was a main issue of an agreement concluded between the three large trade union confederations, CGIL, CISL and UIL and the employers' confederation Confindustria in September 2011 (see [report in EWC News 3/2011](#)). At the time, company level trade union recognition, the binding force of company agreements, possible derogations to sectorial collective agreements and the election process for representatives to the combined union representation body, RSU, were regulated for the entire Italian economy. The inter-confederal agreement of 2011 therefore represents a sort of "Industrial Constitution Act", even though it was not passed by Parliament. It applies only to the contracting parties. If Fiat still belonged to the employers' confederation, it would also apply to Fiat.

The ruling of the Constitutional court has brought to light however a much more far-reaching issue. Certain parts of the inter-confederal agreement of 2011 would probably not stand up to the test of constitutionality. The demand for legal regulation is therefore justified, but represents however a break in the year-old tradition of the Italian system of labour relations.

- [Report on the vote for the shop-floor agreement](#) (in German)
- [Background report on the withdrawal from national collective bargaining](#)
- [Full text of ruling](#) (in Italian)
- [Report on the situation after the ruling](#) (in German)
- [Background info: Trade unions in Italy](#)

5. Plant closures in France under criticism

Companies are to sell profitable plants instead of closing them

On 1 October 2013, the National Assembly in Paris passed legislation which obliges companies with more than 1,000 employees to first search a potential buyer who wants to resume production before the closure of any viable sites. If no substantiating proof is provided, there is a threat of fines of up to 28,000 € per job destroyed. The works council is also to be extensively involved. It has the right to look on its own for investors with the support of experts.



The legislation is a reaction to the closure of the ArcelorMittal steel plant in Florange, Lorraine and is named after it ("loi Florange"). It was one of the presidential election campaign promises of François Hollande. The blast furnaces in Florange were closed down in spring 2013. Although the new legislation forces to look for investors, it does not however oblige a contract of sale to be concluded. This would be an infringement on property rights. An additional component of the legislation is the prevention of hostile takeover attempts by so-called "locusts" and the increase in long-term investment. The works council of any company which is to be taken over, may call on an expert to analyze the overall conditions.

- [Report on the steel plant closure](#) (in German)
- [Contents of the new legislation](#) (in French)

German parent company jointly responsible for layoffs in France



On 30 August 2013, the labour courts in Compiègne ruled on the legality of 700 redundancies in connection with the closure of Continental's tire manufacturing plant in Clairoux, north France in 2010. Since there was no evidence of economic grounds, all layoffs were invalidated. The parent company in Hanover (photo) was also held financially responsible. At the same time the claims of 683 former employees for compensation were granted.

Continental is now confronted with claims for additional compensation amounting from 20,000 to 100,000 € per employee, even though the company had already provided an average of 200,000 € per employee at the time, as part of a social plan. On 24 September 2013 Continental announced that it would appeal against the ruling.

Continental is one of the few cases in which a German EWC agreement has been the subject of legal proceedings. A French court ruled on it in the context of the consultation procedure leading up to the closure of the tire manufacturing plant in April 2009 (see [report in EWC News 2/2009](#)). The following texts are available only in French:

- [Report on court ruling for layoffs](#)
- [Report on the company's reaction](#)

6. Establishment of transnational works councils

Family business accepts SE works council light

On 18 April 2013 an SE participation agreement was signed in Pullach near Munich at the headquarters of the Sixt car rental company. It was negotiated in an unprecedented record time of only one week, following the establishment of the Special Negotiating Body (SNB) on 11 April 2013. With just under 2,000 employees in Germany the company was close to establishing a parity-based supervisory board which could only be avoided by its transformation into an SE. As a result, in the future there will continue to be no employee representatives on the supervisory board.



The SNB was made up of 15 members, including six from Germany, two each from France and the United Kingdom. The Netherlands, Belgium, Luxembourg, Austria and Spain had one representative each. The future SE works council consists however of only three members and can be extended to a maximum of five members to adapt to any increase in the workforce in the coming years. Its competence is limited to only "substantial" matters and therefore falls below legal default provisions.

The company made headlines in 2010 following the dismissal of several employees who were engaged in establishing a works council. Until today the Sixt group has prevented the establishment of any works council. Since there has been consequently no European works council, the SE works council represents the very first employee representative body within Sixt.

- [Full text of SE participation agreement](#) (in German, see page 28)

Water and waste management division obtains its own works council



A EWC agreement for Suez Environnement was signed on 4 July 2013 in Paris. The environmental service provider with over 60,000 employees in 19 European countries hereby obtains its own council following the spin-off from its parent group, Gaz de France Suez and its listing on the stock exchange, back in 2008. An agreement on the establishment of a French Group works council was also concluded on the same day.

The 27 EWC members meet twice annually and elect an 11-member steering committee with the secretary as the speaker for the employee delegation. As usual in French works councils, the EWC is chaired by the employer. The EWC will establish several permanent working groups on topics such as employment, further education etc. A European occupational safety committee consisting of 18 members meets twice annually. The EWC agreement closely follows regulations from the former parent company GdF-Suez (see [report in EWC News 2/2009](#)) whose agreement is considered to be one of the best yet under French jurisdiction. Behind this was the spectacular court proceedings in 2006, through which the Gaz de France EWC was able to block the merger with Suez for one and a half years and secure a transnational compensation agreement (see [report in EWC News 1/2008](#)).

- [Report on contents of the EWC agreement](#)

Belgian electricity network operator establishes EWC

A EWC agreement for Elia System Operator was signed on 5 September 2013 in Brussels. The company operates the entire high-voltage electricity grid in Belgium and took over the electricity supply in Vattenfall, East Germany and Hamburg in 2010. The Special Negotiating Body was therefore only composed of Belgian and German members. The EWC agreement is based on the cross-industry universally applicable collective agreement from December 2010, which transposes the EWC Directive into Belgian legislation (see [report in EWC News 1/2011](#)). Following the Belgian works council model it is a joint body including up to eight employer representatives. The agreement is proactively applicable to all



countries of the European Economic Area and Switzerland.

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

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

7. Updated EWC agreements

New EU-standards integrated



The EWC agreement of ABB was updated on 13 April 2013 at the Ludvika site in central Sweden. The group does business in energy and automation technology and has its roots in Sweden, Germany and Switzerland. Group headquarters are in Zurich and the EWC secretariat is located at the largest German site in Mannheim (photo). The agreement comes under German jurisdiction. Since it was concluded in 1996, the new standards apply- as for other "voluntary" agreements - only following renegotiation.

One remarkable point is the provision for the EWC chairman and deputy to meet regularly with the CEO for face-to-face discussions. Whereas this is also the practice in other companies, in ABB it is explicitly mentioned in the agreement. A further formulation is also rarely seen elsewhere: The EWC is considered as an "integral component of the communication processes within the company". The number of meetings of the six-member steering committee is consequently not limited. The EWC has currently 22 members from 17 countries and meets twice annually.

Completely new EWC agreement after spin-off

A EWC agreement for Xylem was signed on 31 May 2013 in Birmingham under Swedish jurisdiction. Until January 2011, this water technology and pump manufacturer belonged to the ITT group where there had been a "voluntary" EWC agreement in force for the division already since 1996. The spin-off represented a "change in structure" according to the terms of the new EWC Directive. The employee representatives from 16 countries were therefore able to renegotiate on the basis of the new European Union standards. Only the name of "European Works Council Forum" still reminds us of earlier years.



The EWC is composed of 30 members and meets twice annually. The largest countries are Sweden and Germany with four representatives each. It is managed by a five-member steering committee. For voting each representative has as many votes as the number of employees represented. The definition of "transnational competence" goes beyond the standard definition, since the so-called recital No. 16 has been integrated (see [report in EWC News 1/2013](#)). One drawback is the limitation of the consultation period to three weeks and which can be extended only by mutual agreement.

Market research firm clearly defines consultation procedure



The Nielsen EWC agreement had already been brought closer to the standards of the new European Union Directive in January 2009, although at the time, this had not yet formally been approved. The Dutch company has had a EWC since 1996. What's new is the agreement concluded with central management on 15 July 2013 for the precise flow of a consultation procedure. The information and consultation procedure is graphically visualized in a flowchart with eleven steps as an addendum to the EWC agreement.

Employee representatives from Nielsen have hereby established a good foundation for putting the new standards of information and consultation into practice. Since this document was developed

from the outset in conjunction with central management and the responsibilities for each phase clearly defined, nothing should stand in the way of a smooth consultation process. The development of a comparable document lies on the agenda for many European works councils, as soon as they have adapted their EWC agreements to the new EU-standards. It is important hereby, to understand the individual phases and basic philosophy behind information and consultation which is based on a French concept (see [report in EWC News 3/2011](#)).

8. Social standards in Europe

French Parcel group signs social charter

A charter for social responsibility was signed on 17 May 2013 in Berlin between central management and the European works council of GeoPost. The subsidiary of the French state owned company, La Poste, became the second largest parcel business in Europe after the acquisition of the German parcel service DPD in 2001. The EWC was established in May 2008 (see [report in EWC News 3/2008](#)).



The social charter applies to all those countries coming under the scope of the European works council. It contains explicit measures to strengthen the participation rights of national works councils. The charter regulates equal treatment for men and women, the right to collective bargaining and also the involvement of suppliers. Economic layoffs are to be avoided whenever possible. In May 2005, GeoPost was the first company in the parcel and express delivery service industry to conclude a world-wide framework agreement on the basic principles of employment and social policies.

EWC secures compensation in Czech Republic and Slovakia



On 2 July 2013, Crédit Agricole's European works council concluded the consultation procedure on the closure of all sites in the Czech Republic and Slovakia. The EWC took on the task since there were no local representatives for the 193 employees concerned, and was able to negotiate better severance compensation. It rendered its opinion only afterwards. This pragmatic approach may serve as a model - in particular for countries with a small workforce and without a works council. Crédit Agricole has had a EWC in place since January 2008

(see [report in EWC News 1/2008](#)).

- [Report on EWC opinion](#) (in French)

Better protection for East European contract workers

An outstanding shop-floor agreement was concluded for Meyer Werft shipyard on 12 September 2013 in Papenburg. The death of two Romanian contract workers in July 2013, following a fire in their sleeping quarters, had made headlines throughout the country. The IG-Metall union was able to secure minimum standards for the mostly East European workers and strengthen the monitoring rights of the works council. As recently as March 2013 Germany had come under severe criticism because of social dumping in the meat industry (see [report in EWC News 2/2013](#)). Following texts are available only in German:



- [Main contents of the collective agreement](#)
- [IG-Metall press release](#)
- [Lower Saxony local government press release](#)

9. Worldwide social standards

Campaign against British-Australian mining group, Rio Tinto



IndustriALL, the international trade union federation, established a world-wide network, "Strategic Alliance against Rio Tinto" (START), in a meeting held on 19 and 20 June 2013 in Johannesburg (South Africa). The secretary of the European works council from Paris was also amongst the 30 participants from all parts of the world. The EWC was established in 2008, under French jurisdiction, after Rio Tinto acquired the aluminum manufacturer Alcan with its manufacturing plants in France and Switzerland (see [report in EWC News 3/2008](#)).

Most recently there had been world-wide protests in February 2012 over the employment practices of Rio Tinto in Canada (see [report in EWC News 1/2012](#)).

- [Report on Johannesburg meeting](#)
- [Background information on the campaign against Rio Tinto](#)

French car manufacturer takes on responsibility

A world-wide framework agreement covering 127,000 employees in 118 countries was signed on 2 July 2013 in Paris on the sidelines of Renault's European works council meeting. It includes the respect of fundamental rights, social responsibility as well as objectives for the protection of the environment and applies also to suppliers. The first world-wide agreement on employee rights concluded by the group in 2004 has, as a result, now been substantially improved.



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

Agreement on safety standards in Bangladesh



The 45-day deadline for the preparation of an internationally coordinated implementation plan for building safety and fire protection in the Bangladesh textile industry expired on 8 July 2013. 87 prominent fashion groups and retail chains had agreed to this with trade unions and non-governmental organizations. Coordination was handed over to the International Labour Organization (ILO) in Geneva.

The agreement came about, following the death of over 1,100 people in the collapse of a factory building in the capital Dhaka, on 24 April 2013. For years the press had reported over and over again on the catastrophic working conditions and mortal accidents. More recently the European Commission had threatened to restrict the importation of textile products from Bangladesh.

- [Assessment from the international trade union federation IndustriALL](#)
- [Contents of the agreement](#)
- [List of the signatories to the agreement](#)
- [Background report on the events](#) (in German)

10. Interesting websites

Wage trends in EU-countries

On 28 July 2013, the European Trade Union Institute (ETUI) in Brussels published on its website graphical data on wage trends in all EU-countries. It shows developments in each individual country since the year 2000 and demonstrates that real wages have sunk due to hard austerity policies in 15 countries. The charts also show unemployment figures in the respective countries.



- [Further information](#)
- [Link to info graphics](#)



Social dialogue on the European level

Since the mid-80s there has been dialogue in Brussels between trade unions, employers' federations and the European Commission on social policy issues. This "social dialogue" was institutionalized by the Maastricht treaty in 1992, as an integral component of the European Union (without however the participation of the United Kingdom until 1997). The current topics of social dialogue are described in detail on the European Commission's website.

- [Social dialogue website](#)
- [Manual on social dialogue](#)

Information platform on occupational safety

This website provides information about specific aspects of health and safety in the workplace (stress, chemicals, ergonomics, office and work space layout) with a focus on small business premises within selected industrial sectors. It is particularly helpful for European works councils, since the entire contents is available in five languages.



- [The health and safety website](#)
- [Information for occupational safety specialists](#)

Regular updates on EU-financial market reforms



A bimonthly newsletter has been reporting since April 2010 on the background to the financial market reforms in the EU. The current edition

deals with the G20-Summit and financial market regulation, with the planned free trade negotiations between the EU and the USA, the recent suggestions of the European Parliament on the banking sector as well as with the world-wide speculation on food resources.

- [Current edition of the newsletter](#)
- [Newsletter archives](#)

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

11. New publications

Revised EWC manual from Austria

The manual on European works councils from Wolfgang Greif (photo), officer for European affairs at the GPA-djp trade union, was the first German-language publication, in March 2009 to provide a detailed presentation of the new legal situation. A revised second edition has been available since April 2013 which now takes into account the national transposition of the EWC Directive as of 6 June 2011. The Austrian transposition was carried out in an outstanding manner and the alpine republic has today the best EWC legislation of all EU-countries (see [report in EWC News 1/2011](#)). Following texts are available only in German:



- [Further information on the book](#)
- [Browse the book on-line](#)
- [Review on the first edition of the manual](#)
- [On-line order](#)



New edition of labour legislation commentary

The third edition of this very compact, practice-relevant, over 3,000 page commentary was released at the end of April 2013. The various laws relating to works council work are presented in great detail. The perspective is not limited however to purely national circumstances. It presents for instance, the legislation on employee posting and minimum working conditions. The authors all come from a trade-union background and it provides a good introduction to European legislation, also with regard to transnational labour relations. The commentary is easily comprehensible and a reference work which can also be recommended for European works councils. However, as usual with such legal commentaries - it is only available in German.

- [Further information on the book](#)
- [On-line book order](#)

Business Etiquette Sweden

This manual for managers was published in April 2013 and deals with the differences between German and Swedish business cultures. The author claims that the alleged cultural proximity prevents us from seeing the real differences. Works council members do not make negotiations on business related topics such as managers, but can nevertheless make the same blunders in their cross-border contacts. How should a German works council act when faced with Swedish managers, if the group has its headquarters in Sweden? What needs to be taken into consideration in contacts with Swedish employee representatives, if the company is managed from Germany? The book provides no direct answers for works councils, but nevertheless provides interesting suggestions.



- [Further information on the book](#)
- [On-line book order](#)

Review of the country with the highest unemployment rate



In June 2013 the Friedrich Ebert Foundation released a new study on Spanish trade unions. With currently 4.7 million people unemployed the country has the highest unemployment rate of 26.3% in the EU. The authors speak of a test case, as to how the fear of unemployment may be abused for the dismantling of protective rights. Measures taken by the conservative government are considered to represent the most substantial dismantling of labour legislation since the end of the Franco dictatorship (see [report in EWC News 2/2012](#)). The study also includes current figures on the strength of individual trade unions following works council elections, the developments in collective bargaining and the rights and duties of Spanish works councils. Another finding shows that on an international level, Spanish trade unions are more interested in Latin America than in European works councils.

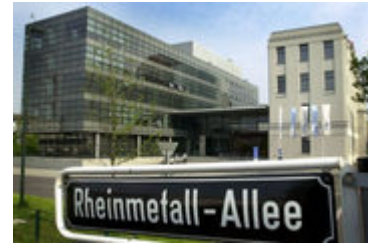
- [Study download](#)
- [Workplace representation in Spain](#)

We have arranged here a collection of [further literature](#).

12. The EWC Academy: Examples of our work

Rheinmetall discusses improved social standards

The European works council of Rheinmetall, the automobile supplier and arms manufacturer, met from 2 to 4 July 2013 in Berlin. With the support of the EWC Academy the representatives discussed a possible revision of the Code of Conduct from 2003. The EWC had hereby agreed with central management upon a set of globally applicable core working standards and wishes to update them to today's standards.



In 2007 there was a public dispute on compliance to the agreement with the central management (see [report in EWC News 2/2007](#)). Although the Code of Conduct is no longer really state-of-the-art, the EWC was able to secure an outstanding agreement on another subject. In June 2012 framework regulations for occupational health and safety in all European countries were adopted (see [report in EWC News 4/2012](#)).

- [Full text of the Code of Conduct from 2003](#)
- [Full text of occupational health and safety agreement](#) (in French)

Improved consultation procedure for Swiss insurance company



The steering committee of the Helvetia insurance European Forum met on 29 and 30 July 2013 in Karlsruhe, to put into working practice their EWC agreement updated in May 2012. The employee representatives wish to define more precisely the information and consultation procedure and to preventively develop, for the case of transnational matters, an exact flow diagram with central management. The European Forum is advised by the EWC Academy.

First ever EWC seminar in Zurich

For the first time the EWC Academy delivered a seminar from 11 to 13 September 2013 on Swiss - EU relations. Sixteen participants from ten companies, around half from Germany and half from Switzerland, dealt with the labour relations' legislation and the role of European works councils in Swiss companies. The labour relations' legislation is based on EU defaults and regulates, since 1994, the establishment of employee representation bodies (see [report in EWC News 4/2012](#)).



The University of Zurich is currently making a quantitative and qualitative analysis of the role of European works councils for Switzerland. It reveals that there are 110 Swiss companies which come under the scope of the EWC Directive. 50 of them have established a EWC, but only include representatives from Switzerland in 36 cases. Since the transposition of the EWC Directive into Swiss labour legislation did not find a majority in Parliament in June 2012 (see [report in EWC News 2/2012](#)), the involvement of Swiss representatives in EWCs continues to remain on a voluntary basis. Following texts are available only in German:

- [Further information on the research project](#)
- [First results of the study](#)

13. Current seminar 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, 511 employee representatives from 203 companies have taken part, including many of them for several times. This represents around 18% of all transnational works council bodies in Europe – not yet including the numerous in-house

events organized by the EWC Academy.

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

EWC Conference in London (only a few places remaining)



For the third time already a conference is being held on 24 and 25 October 2013 in London. The meeting will be simultaneously interpreted. It is particularly addressed to members of European works councils who come under British jurisdiction and at employee representatives wishing to familiarize themselves with the British system.

- [Program and registration form](#)
- [Report on the 2012 London conference](#)

6th Hamburg conference for European and SE works councils

As every year, a two-day conference is again being organized in Hamburg in January. Topics include:

Monday, 27 January 2014: Current trends in the EWC landscape - new court rulings and examples of EWC activities

Tuesday, 28 January 2014: Visit to the Norsk Hydro aluminum plant in Hamburg and discussion with EWC members



- [Program and registration form](#)

Language courses: Business English for German-spoken works council members

The next language course is being held from 27 to 30 January 2014 in Hamburg and an additional language course from 6 to 12 July 2014 in the English seaside resort of Eastbourne.

- [Further information on our language courses](#)

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](#)

14. Imprint

EWC News is published by:

EWC Academy GmbH
Rödingsmarkt 52, D-20459 Hamburg
www.ewc-academy.eu

Authors collaborating on this issue:
Werner Altmeyer, Rita da Luz, Reingard Zimmer

Distributor of the German version: 19,484 readers
Distributor of the English version: 3,025 readers
Distributor of the French version: 2,984 readers