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Welcome to issue no. 1 / 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. Collective EU labour legislation reforms

### European Commission starts explosive round of consultations

On 10 April 2015 the European Commission started an official consultation procedure with trade union and employers' associations on the European level. The goal is the revision of three Directives which are of major importance to works councils:

- [the Directive on collective redundancies from 1998](#)
- [the Directive on the transfer of undertakings from 2001](#)
- [the Directive on informing and consulting employees on a national level from 2002.](#)



The European Commission would like to evaluate the consistency and effectiveness of these three legal acts, and hereby standardize definitions and smooth out any differences. The social partners must submit their opinion before the 30 June 2015. The crucial question hereby is how the information and consultation of local works councils should take place in the case of restructuring. This is currently also the main subject of conflict in Brussels for the improvement of participation

rights in European and SE works councils. The following levels can be differentiated:

1. Information
2. Consultation
3. Extended consultation with the goal of obtaining an agreement (e.g. a social plan)
4. Co-determination and/or negotiation rights

Nowadays, levels 1 and 2 are already a widely established legal right, even if the exact definition continues to give rise to political and legal disputes. Level 3 is only present in the SE Directive but, in the opinion of trade unions, it should however be extended to all Directives. The question of sanctions also has a special significance: If consultation is interpreted in the French sense, there is a right to injunction. The employer cannot implement any measures until the works council has rendered its opinion. By using this concept intelligently negotiations can take place before the opinion is rendered (see [report in EWC News 3/2011](#)). Another issue just as important is the specification of deadlines for rendering the opinion which employers are very keen to explicitly fix. Works councils however, generally reject this since it represents the only way of enforcing negotiations.

- [European Commission press release](#)
- [Full text of consultation document](#)
- [Appendix to consultation document](#)

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### Start of EWC Directive evaluation



The steering group which is preparing an evaluation report on the practical implementation of the new EWC Directive met on 20 April 2015 at the European Commission in Brussels. The changes made in 2009 are to be more closely examined in this evaluation. It will include an analysis of the transposition in the different EU countries as well as identifying challenges and examples of good practice in the implementation of the new regulations. According to article 15 of the EWC Directive, the European Commission is obliged to submit such a

report to the European Parliament and to the Council of Heads of States and Governments before 5 June 2016 and if necessary to make suitable proposals for revising the Directive.

An important part of the evaluation will be a cost-benefit analysis of the new regulations for employees as well as for companies. A legal analysis of past court proceedings in EWC matters is also planned. The analysis, which will drag on for several months until the end of 2015, will also include interviews with management representatives and EWC members from selected companies, in order to illustrate case studies. The contract for the evaluation was awarded to the London office of ICF International, the US consulting firm (formerly GHK Consulting), who already carried out a similar analysis in 2008 before the last revision of the EWC Directive (see [report in EWC News 3/2008](#)). The EWC Academy in Hamburg in collaboration with the French consulting company, IR Share, will contribute to this new evaluation.

- [Full text of 2008 report](#)

### Forthcoming event

Dr Tina Weber, the project manager of ICF, will present the first preliminary results at the London conference for European works councils on 23 October 2015.



TIPP !

## 2. Court proceedings affecting the whole of Europe

### Insufficient sanctions in German EWC legislation - a case for Luxembourg?

The question whether or not the EU Directive on European works councils was correctly transposed by the German legislator will come before the labour courts in Lörrach on 29 April 2015. The EWC of the Australian packing company, Amcor, has requested for preliminary proceedings before the European Court of Justice in Luxembourg. It considers that the maximum fine for infringement of consultation rights amounting to 15,000 €, such as is formulated in



the German EWC legislation, is not “effective, dissuasive and proportionate in relation to the seriousness of the offence” (original EWC Directive wording). The only appropriate sanction would be an injunction order such as in the Gaz de France case (see [report in EWC News 1/2008](#)). The Amcor EWC operates under German jurisdiction.

- [European Trade Union Institute analyses sanctions](#)

The legal case concerns a plant closure in Neumünster (Northern Germany) at the end of 2014 and is linked to a larger restructuring. Although 3,600 employees were affected at 19 sites in 14 countries, central management at first contested the transnational character and the competence of the EWC. Dismissals were announced on 18 August 2014, with reference to a business decision dating from 23 July 2014. Since the European works council was likewise only informed on the 18 August 2014, the infringement of EWC rights could be substantiated in court. A consultation procedure has no sense whatsoever, once the decision of central management has been taken irrevocably. The breach of law here is just as apparent as in the US automotive supplier Visteon case from June 2011 (see [report in EWC News 3/2011](#)).

### **Already fourth court case for Amcor**

The current proceedings are connected with three other legal cases, where the EWC is involved in legal action at several court levels against central management. The anglo-saxon style management has great difficulty in accepting the existence of a full-fledged European works council and has been purposefully obstructing for years. The issues under dispute in the other court proceedings are:

- Can the EWC publish critical comments on central management’s business policy on their Intranet? (see [report in EWC News 3/2013](#))
- Can select committee members travel to England, for the purpose of informing local employee representatives about a restructuring? (see [report in EWC News 2/2014](#))
- Can the EWC invite external full-time union officers to its internal meetings?

### **Discussions on an out-of-court solution**

More recently the clear evidence available in the latest case has prompted central management to reconsider their attitude towards the EWC. Since December 2014 there have been behind-the-scene discussions over a mutually agreed settlement of all four procedures thus avoiding any court ruling. It is difficult to foresee how long these discussions will last. Examples from other companies (see [report in EWC News 1/2013](#)) tend to suggest that it will not end up in a court ruling.

### **Forthcoming event**

A legal seminar on the subject of past EWC case law is being held from 28 to 30 October 2015 in Hamburg.



TIPP !

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### **German stock exchange with parity-based supervisory board thanks to EU workforce**



On 16 February 2015 the Frankfurt-on-Main regional court passed a ruling which could rock the foundations of the German co-determination system. For the first time a German court ruled that employment thresholds, according to which employee representatives are nominated on supervisory boards, no longer take into consideration only German employees, but the entire EU workforce. If this judgement is confirmed in the second instance court, it would entail a major expansion of co-determination rights within German companies.

Supervisory board representation has to be established when German companies exceed certain thresholds: starting from 500 employees they are allotted a third of the seats and starting from 2,000 employees one half. However, up to now, only the employees in Germany were taken into account. In the holding company of the German stock exchange in Frankfurt six mandates are currently allotted to the works council, and twelve to the shareholders (one-third participation). In Germany the company has 1,624 employees. The court has now included 1,588 employees from Luxembourg, Czechia and the United Kingdom, since they consider their exclusion to be a discrimination violating EU law. As a consequence the company now has to form a parity-based

supervisory board with six employee and six shareholder representatives. On the employee side the works councils must concede two seats to external trade union officers and the shareholder side loses six mandates.

- [Full text of court ruling](#) (in German)
- [Comments from employer-friendly lawyers](#) (in German)
- [Background info: co-determination on the supervisory board in Germany](#)

### Consequences also for SE supervisory boards?

In view of this ruling, employer-friendly lawyers are urging other German companies to immediately start the conversion into the European Company (SE) legal form to prevent the threatened expansion of German co-determination. Whether this will be successful in the long term, remains uncertain. This could possibly shed a completely new legal light on the freezing or avoidance of employee participation in previous SE conversions. In terms of figures for the whole of Europe, Germany counts for half of all SE conversions with significance for employee rights (see [report in EWC News 4/2011](#)).

## 3. Individual country reports

### Swiss currency shock: Longer working hours with no wage compensation

On 15 January 2015 the Swiss central bank floated the exchange rate for the franc. This has been linked to the euro since September 2011, in order to protect the Swiss economy from an overvaluation of its currency. On the very same day the franc gained around 20% to the euro and has been fluctuating around this level until today. Labour costs in exporting industries have consequently risen by around 20%. In an effort to compensate this, greater pressure has been put on employees and unions have protested against the measures (see photo).



A whole group of multinational companies reacted with wage cuts or now pay wages in euros. Well known companies such as Siemens have increased working time by five hours. According to Swiss labour legislation, the weekly working hours can be increased by mutual agreement with the works council up to 45 hours, without wage compensation. The aim hereby is to avoid hiring new employees. Over one third of all Swiss companies (37%) are now invoicing in euros also for the domestic market. Despite this there are now more and more cases where a relocation of production to the euro-zone is being planned. The current unemployment rate of 3.5% could rise for the first time in autumn 2015.

- [Press report on working hours at Siemens](#) (in German)
- [Unia trade union information on franc exchange rate](#) (in French)



### Political strike in Norway

A two-hour general strike, organized by trade unions, took place on 28 January 2015 in several cities in Norway in protest against planned amendments to the labour code. The conservative government, in power since October 2013, wants to soften job-security legislation, in order to promote employment. There are also discussions on short-term work contracts, longer legal working hours, more overtime and a reduction of legal restrictions to Sunday working. Norway has an unemployment rate of 3.9% and due to its oil resources is one of the richest countries in Europe. Following the Second World War, the Social Democrats have nearly always been in power.

- [Report on the strike](#)
- [Full text of call for strike action](#)

## Greece: Collective bargaining to be reinstated

On 15 April 2015, for the first time since change of government, a meeting took place between trade unions, the employers' associations and the Ministry of Labour. Discussions included means to reinstate an effective social dialogue as well as stable collective bargaining structures and a road-map for a minimum wage, which is to start at 650 € from 1 October 2015. The left-wing government, in power since the end of January 2015, is hereby openly supported by the trade union federations in Brussels. Over and over again they had severely criticized the dismantling of the labour laws by the preceding governments.



- [Report on an inaugural visit to the new employment minister](#)
- [Report on the trilateral meeting of the social partners](#)
- [Collective bargaining landscape in Greece after 2010](#)

## 4. Newly established European works councils

### South Korean group closes Belgian site shortly before establishing EWC



On 1 September 2014 Doosan announced the closure of its Belgian construction machinery manufacturing plant in Frameries (Hainaut) with over 300 employees. At the time, the negotiations for the establishment of the European works council for the conglomerate from Seoul were in a decisive phase. The EWC agreement was signed on 20 November 2014 in Brussels. Although, in the future, there will only be around 100 employees in Belgium, it is subject to Belgian jurisdiction.

The largest workforce within the EU is in Czechia where Doosan had taken over the energy division of Škoda in 2009. Further sites in Belgium, France, Germany and other countries were also acquired from other groups. The European works council is composed of 14 employee representatives and meets once a year. France, Belgium and Czechia have three seats each and Germany, Ireland, Norway and the United Kingdom one each. Countries with a small workforce share together one mandate. The five member select committee manage current affairs and can meet several times per year. A detailed conciliation procedure is provided for handling conflict and any court action is only allowed after this. Doosan is the second company in South Korea, after Samsung, with a European works council. Following texts are only available in French:

- [Report on the plant closure announcement](#)
- [Report on the social plan negotiations](#)

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### Spanish automotive supplier establishes EWC

A EWC agreement was concluded for Gestamp on 29 January 2015 in Madrid, covering its 18,800 employees from ten EU countries. This Basque family business had bought the car body unit of the German automotive supplier Edscha in 2010. The EWC is composed of 21 members (including six seats for Spain and four for Germany) and holds two meetings a year. The five member steering committee meet twice a year and for extraordinary circumstances. In addition a working group on occupational health and safety is established and another on corporate social responsibility. The EWC can be assisted by two experts and can organize four days of training per term of office. In the case of conflict a company arbitration board can be convened. In comparison with other EWC agreements under Spanish jurisdiction these represent very good operating conditions.



- [Report on EWC establishment](#) (in Spanish)

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### French logistics company establishes EWC



A EWC agreement was signed on 18 February 2015 at the headquarters of GEFCO in the Paris suburb, Courbevoie. The company is considered as the market leader in European automobile logistics and has long-term exclusive contracts with PSA Peugeot Citroën and General Motors. Since 2012 it has been majority-owned by the Russian railways (RŽD), which wants to develop a railway connection for goods between Western Europe and Asia. The EWC represents 9,000 employees in 18 EU countries and is composed of 18 members (including five from France). Small countries must share common seats. Projects fall in the scope of the EWC, if they concern the entire group or at least two sites and involve 150 employees in two countries (or 80 in one country). The employer chairs the meetings. According to French custom, training rights, time-off provisions and budget for experts are explicitly defined.

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

## 5. New SE participation agreements

### Channel Tunnel now operating as SE

An SE agreement was signed for Eurotunnel on 1 December 2014 in Paris. The company operates the 50 km-stretch of railway tunnel under the English Channel together with logistics services and has 4,000 employees. The SE works council will replace the European works council established in 1998. It is made up of 18 members (eleven from France and seven from England) and meets twice annually. The steering committee consists of six representatives (three each per country). Since the agreement is under French jurisdiction, the employer is chairperson. Employee participation on the board of directors is not provided for. For restructuring matters, the SE works council has only eight days to render its opinion. A well founded economical analysis is therefore hardly conceivable.



- [Press release on SE conversion](#)
- [Further information on the SE legal form](#)

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### Europe's largest aerospace group soon with four SE works councils



An SE agreement under Dutch jurisdiction was concluded for the Airbus group (formerly EADS) on 24 February 2015 in Amsterdam. It closely matches the proven structures of the European works council which was established in 2000 and groups together several European divisional works councils under the Holding (see [report in EWC News 1/2012](#)). The new SE works council will cover additional countries, have more mandates as well as having better working conditions.

The Holding-level SE works council meets three times annually and the divisional works councils quarterly. The number of seats remains the same as in the previous European works council (six each for Germany and France, three for the United Kingdom and two for Spain), with one additional representative each from Poland and Romania. The aircraft construction divisional works council is supplemented with one representative from Romania. The space and defense divisions were only recently merged, and as such, even without SE conversion, a renegotiation of the mandates would have been necessary. Representatives from Poland and Finland have been added here. During the transition period the divisional works council will have altogether 20 seats. The works council in the helicopter division has 14 representatives, which, besides the four core countries, now includes also Romania and Ireland.

The select committees of the various bodies meet quarterly and have one member from each country concerned. "National committees" are established under the umbrella of the SE works council in countries having no central or group works council. Small countries, which are not represented in the four SE works councils, can send a representative once a year to a meeting. This meeting is however considered as an informal meeting and not as a works council meeting.

The precisely defined steps and deadlines for the information and consultation process are somewhat unusual for SE agreements. They closely follow the philosophy of the revised French consultation legislation, which has been in force since January 2014 (see [report in EWC News 1/2014](#)). An employee participation in the board of directors is not foreseen, since the company is officially registered in the Netherlands and can use special provisions to avoid any co-determination (see [report in EWC News 4/2013](#)). The Airbus European works council had prepared the SE negotiations during a meeting held in September 2014 in Toulouse with support from the EWC Academy (see [report in EWC News 3/2014](#)).

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### High obstacles for co-determination in German satellite manufacturer

An SE agreement was concluded for the technology group, OHB, on 18 March 2015 in Bremen. There had previously been conflict on co-determination rights in the supervisory board between the IG Metall trade union and central management largely covered by the press. The employer, who initially did not want to accept any employee participation, finally agreed on the following provisions: one SE works council representative is invited to the supervisory board once a year in an advisory capacity. Should the company have more than 4,000 employees in Germany or 5,000 in Europe (there are at present 1,600 in Germany and 2,000 in Europe), then the SE works council would be able to elect one third of the supervisory board members.



The SE works council is composed of 14 members and can organize two annual meetings. Apart from Germany, Belgium, France, Italy, Luxembourg and Sweden are also represented. Three representatives handle day-to-day operations. They are under considerable time pressure since they have only one week, and in exceptional circumstances up to three weeks, to render an opinion in consultation procedures. The SE works council has a right to visit sites in all countries and has rights of initiative on relevant pan-European topics.

- [Press report on the co-determination conflict](#) (in German)
- [Press release on negotiation results](#)

## 6. Structuring consultation procedures

### German tourist company defines flow of consultation procedure



The operational sequence for a consultation procedure was set down in writing on 14 November 2014 at the headquarters of the TUI group in Hanover. It includes monthly working sessions between central management and the six-member EWC steering committee. In the case of extraordinary circumstances information is already communicated in the planning phase. The subsequent consultation phase is carried out before the final decision of management and ends with the EWC opinion (or a declaration to renounce giving an opinion). No deadlines have been defined

here. The EWC is always informed ahead of the national works councils as long as this does not violate national legislation.

At the same time the original “voluntary” EWC agreement, concluded in 1996, was updated. The definitions of information and consultation were taken from the new EU Directive as well as the Recital 16 of the Directive’s preamble which specifies that the EWC is competent for all matters which are of importance for the European workforce in terms of the scope of their potential effects. If only one country is concerned, then the steering committee of the TUI Europe Forum is involved. During consultation procedures it can extensively consult with the works councils from the involved countries. The provisions for training are interesting since they are not only formulated as a right, but as an obligation for EWC members. The EWC Academy contributed in the elaboration of these texts (see [report in EWC News 2/2014](#)).

- [Interview with works council on current merger between TUI and TUI Travel](#) (in German)
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## French EWC defines four stage consultation procedure

The European works council and central management of the Axa insurance group reached an agreement on 26 November 2014 in Paris for the consultation procedure for the digital transformation. The procedural agreement (“accord de méthodologie”) defines four stages. The topic had already been on the agenda of the EWC in June 2014 and will continue to occupy the EWC for many years, in particular the concrete impact on working conditions and personnel policy (see [report in EWC News 2/2014](#)). The stages are as follows:



During the first stage the EWC members familiarize themselves with the details of the subject (“phase d’appropriation”). The second stage involves the implementation of the principles for proactive personnel planning defined in a pan-European framework agreement from 2011. The real consultation phase begins only after this, in stage three. Working conditions are not changed during the consultation until the EWC has rendered its opinion. In the fourth stage a wide-ranging consultation (“articulation”) between the European works council and local works councils takes place.

- [Full text of the framework agreement on personnel policy](#)
- [EWC meeting minutes from November 2014](#) (in French)

## 7. Dodging employee participation

### Alba Group scraps co-determination



On 19 February 2015, the Hans Böckler Foundation released alarming statistics on the evasion and avoidance of supervisory board participation by German and foreign companies. Whereas in 2000, only three Germany companies used a foreign legal form to keep their supervisory board free from employee representatives, the number increased drastically to 94 mid-2014. This includes 51 companies with more than 2,000 employees in Germany, where there would normally exist parity-based participation. By these means altogether 200,000 employees are

excluded from co-determination.

Although these figures still represent less than 5% of all companies with co-determination in Germany, the Hans Böckler Foundation considers the rapid increase as dramatic. It suggests a need for policy action by the legislator. It is particularly absurd, when companies with no real foreign business create “pseudo-foreign corporations”. The most prominent example is the Alba waste and recycling group in Berlin, which belongs to the President of the Association of German Chambers of Industry and Commerce. Participation evasion through foreign legal forms is particularly prevalent in the logistics industry (including the largest company in this group: Kühne + Nagel) and in the retail trade with H&M, Esprit, Zara, Primark or C&A, but also includes the fast food chain McDonald's.

Although, until recently, European Company (SE) conversions were the proven means for avoiding or reducing co-determination and widely promoted in the business press (see [report in EWC News 2/2008](#)), in the meantime a dynamic move towards foreign legal forms has developed. Following texts are only available in German:

- [Overview of study results](#)
- [Download of whole study](#)

### Negotiations seldom based on the Merger Directive

A less well-known means for avoiding or reducing co-determination which is easier to handle for employers than an SE conversion is the cross-border merger of limited liability companies. It is legally based on the Directive passed by the EU in October 2005 which differs slightly from the SE Directive to the detriment of employees.





Whereas the SE Directive secures a status quo on any co-determination already covering 25% of the European workforce, this threshold has been changed to 33% in the Merger Directive. In a cross-border merger the negotiations only concern the supervisory board, not a SE works council. In the case of a SE conversion a Special Negotiating Body (SNB) is established, which should reach a result within six months (extended to twelve by mutual agreement). Minimum standards apply should the negotiations fail. The provisions of the Merger Directive differ in that the employer can completely avoid establishing a SNB and directly apply minimum standards.

The European Trade Union Institute (ETUI) in Brussels has examined 51 transnational mergers in its new benchmarking report and published the results on 3 March 2015. A SNB was actually established only in ten cases, twenty companies immediately implemented the minimum standards without negotiation and in 21 cases it was not at all certain from the merger plan, whether or not or how employee participation should at all be handled. The first ever parity-based supervisory board based on the EU Mergers Directive was established in Germany in December 2008 for the insurance company Münchener Rück (see [report in EWC News 2/2009](#)). In January 2010 the ready-meals manufacturer Apetito from Rheine (Westphalia) used this Directive to avoid a parity-based supervisory board (see [report in EWC News 3/2010](#)).

- [Full text of the EU Merger Directive](#)
- [Full text of the ETUI report](#)

## 8. Pan-European company agreements

### Major British bank commits to corporate social responsibility



A European Charter on responsible banking was concluded, on 27 January 2015 in London, between the Barclays Group European Forum (BGEF), as the European works council is named, and central management of Britain's third largest bank. On the previous day trade unions, in particular from Italy and France, had brought into being a trade union alliance for Barclays with the British trade union Unite. The goal is to conclude Pan-European company agreements such as a social Charter on working conditions. A ten-point agenda on the subject was elaborated in May 2014. A global social charter for the 140,000 employees is another goal.

The Barclays Group European Forum was established already in 1996 and meets twice annually. It is composed of 24 members from twelve countries, including seven British representatives as well as a representative for investment banking representing several countries. The EWC agreement is subject to British jurisdiction and was last updated in 2011. However the new EU-standards for information and consultation have not yet been integrated. It is an old "voluntary" agreement, which would, in the case of termination, lead to the dissolution of the EWC, as in 2012 with the major British bank, HBSC (see [report in EWC News 1/2014](#)).

- [Report on the trade union meeting in London](#)
- [Tasks and goals of new trade union alliance](#)
- [Full text of EWC agreement](#)

### French insurance company promotes Professional Equality

A European charter on equal treatment of women and men was signed on 29 January 2015 in Paris between the SE works council and management of the reinsurance company, Scor. It defines rules for new hires, career promotion, vocational training, equal pay and work-life balance. An evaluation report will be presented annually to the SE works council in the future.



In May 2007, Scor was the first company in France to adopt the European Company (SE) legal form with employee participation on the board of directors and a SE works council (see [report in EWC News 2/2007](#)). Currently 36 members from eleven countries belong to the SE works council, including ten from France and eight from Germany. They represent 2,400 employees.

- [Full text of Charter on Professional Equality](#)

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## Skills development in French high-tech group



A pan-European agreement on skills development and career promotion was concluded on 25 March 2015 in Paris between central management of Safran, the engine and electronics manufacturer and the European Industrial trade union federation (industriALL). It provides for regular development discussions for all employees in twelve EU countries and Switzerland, guarantees them access to further education, supports measures for occupational mobility and draws on examples of good practice from several European countries. A committee composed of management representatives, the European works council select committee and three representatives from industriALL are to regularly monitor compliance to the agreement. An agreement for promoting the occupational integration of young people has already been in place since March 2013 at Safran (see [report in EWC News 2/2013](#)).

- [Full text of the agreement](#)

## 9. The view beyond Europe

### Social responsibility for 100,000 employees in 130 countries

The French petroleum company, Total, signed an agreement on corporate social responsibility on 22 January 2015 with the international industrial trade union federation (industriALL) on the sidelines of the World Economic Forum in Davos. It ensures rights to carry out trade union activity for the workforce around the world and a social dialogue at company level. The internal workplace standards on health and safety will also apply in the future to subcontractors and suppliers. It is the first agreement of its kind to take into account the extended guidelines adopted in December 2014 by industriALL.



- [Report on the signing](#)
- [Full text of the agreement](#)
- [Overview of new industriALL guidelines](#)
- [Full text of the new guidelines](#)

On the European level Total, not only has a Holding-level EWC, but in addition three divisional works councils as well as a committee for corporate social responsibility and sustainable development. This is a result of the revised EWC agreement from October 2012 (see [report in EWC News 4/2012](#)). In November 2005 Total had already concluded a European framework agreement on equal opportunity.

- [Full text of the European agreement on equal opportunity](#)

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## Basque wind turbine manufacturer signs global framework agreement



European works council.

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

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## Global social standards for German industrial group

An international framework agreement was signed at the headquarters of ThyssenKrupp in Essen on 16 March 2015. The central management of Germany's largest steel and technology group hereby commits to minimum social standards for all of its 150,000 employees in 80 countries. An international committee and a complaints office are established to monitor the agreement. Negotiations on this framework agreement had contributed to settling recent labour disputes at ThyssenKrupp in the USA and in Italy.



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

## 10. Interesting websites

### Social security systems of individual countries



The European Commission in Brussels has updated the contents of its manual on the different social security systems of the European Economic Area member states (EU, Norway, Iceland, Liechtenstein) and published it on its website. Switzerland is also included. For the moment they can only be downloaded in English, French and German, but will soon be translated however into all official EU languages. In addition to the texts there are also links to the social security institutions of each country.

- [Social security systems manual](#)

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### Collective bargaining resource pool

The European Trade Union Confederation (ETUC) in Brussels provides documents on collective bargaining policy in the EU-member states on a specially dedicated website. It is aimed at improving coordination and a tool kit in several languages has been developed to help. A barometer evaluates the bargaining structure, social dialogue and the situation of labour legislation in each country with traffic lights (red, amber, green). Scandinavia and Germany lie within the green range, whereas a set of euro-crisis countries and parts of Eastern Europe are marked in red.



- [Collective bargaining policy website](#)
- [Trade union barometer](#)
- [Tool kit download](#)

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### News from European Politics



The Internet news portal, EurActiv from Brussels reports in three languages on all aspects of European politics, in particular on the debates leading up to EU-decisions. It considers itself to be the most used media portal in European politics. In addition to the latest news, EurActiv also publishes background dossiers, which gather together information on broader topics, e. g. on European elections, on the energy turnaround or on the euro-debt crisis.

- [EurActiv website](#)

## World Movement of Christian Workers (WMCW)

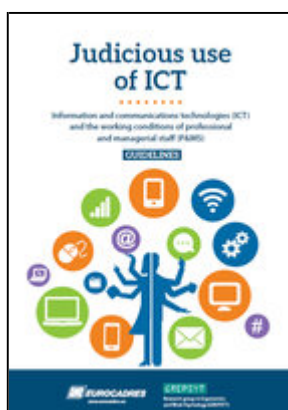
This Brussels based non-governmental organization is active as the umbrella organization of catholic employee movements in 79 countries. Its bi-annual newsletter, INFOR, reports in four languages on various world-wide solidarity work. The current issue of January 2015 comes under the title: "Another world is possible".



- [WBCA website](#)
- [Latest edition of newsletter](#)

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

## 11. New publications



### Communication technologies modify working conditions

This brochure, which discusses and analyses effects of information and communication technologies (ICT) on working conditions was released in September 2014. It was developed as a project by Eurocadres, the European umbrella organization for professional and managerial staff within the European Trade Union Confederation (ETUC). The emergence of "borderless work" is examined: with no time limits (constant availability), with no spatial borders (teleworking, office at home, in the hotel) and a wider geographical distribution (internationalization of everyday operational procedures). This brochure is also particularly useful for members of European works councils, since it is available in five languages.

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

## Manual on employee data protection

The sixth edition of the classic manual by Professor Däubler, the German labour legislation expert, was published in January 2015 under the title "the glass workforce". Through the ever increasing networking of IT systems, data-protection has finally reached an international dimension. Reason enough, moreover, for EWC members to familiarize themselves with the topic. It is particularly important for beginners since it not only explains legislation but describes the reasons behind data-protection and how it works. New topics include the Cloud and Big Data. The manual is also suitable as a reference book since it has an extensive indexed glossary. It is however only available in German.



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

## Forthcoming event

For the second time running, a seminar on data protection in the international company is being organized from 28 to 30 October 2015 in Hamburg.





## Transnational company agreements in practice

In January 2015, a network of research institutes from seven EU countries published their results and recommendations based on 14 case studies in seven multinational companies. This covers altogether 18 different agreements signed in general by the European works council. However, in two French cases, the EWC is only responsible for monitoring and the European Trade Union Federation is the sole contracting party. The divided trade union environment in France makes it more viable to delegate to European-level trade unions. So far transnational company agreements still lack a water-tight legal basis. It is for this reason that the European Parliament demanded legal safeguarding measures in September 2013 (see [report in EWC News 3/2013](#)).

- [Report on the study](#)
- [Download of complete study](#)
- [Download of edited version of the study](#)

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## New edition of small phrase-book

A new edition of this phrase-book for German, French and Dutch has recently been published. It aims at facilitating communication during business trips, assisting in the composition of business letters and is above all addressed to everyone working in the German-Belgian-Luxembourg linguistic area. In addition it includes useful terms and idioms ordered by topic. It is published by the Brussels office of the Goethe Institute, a cultural facility for the promotion of the German language abroad, and the German-Belgian-Luxembourg Chamber of Commerce in Brussels. A mini dictionary is also available for download in these three languages, free of charge.

- [Phrase-book order](#) (in Dutch)
- [Mini-dictionary download](#)



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

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

### Seventh Hamburg EWC conference since January 2009



The annual EWC Academy conference was held on 26 and 27 January 2015, this time in the Hafen Hamburg hotel with a panoramic view over the river Elbe and the city skyline. Apart from current developments in European labour legislation and the landscape of European works councils there were reports on practical experience from the Zurich insurance group on improved information and consultation procedures during pan-

European restructuring (see [report in EWC News 2/2014](#)) and on the current legal proceedings at the packaging manufacturer, Amcor (see [report in EWC News 2/2014](#)). On the second day a short seminar took place on the consultation procedure.

- [Looking back: Report on the first conference in January 2009](#)

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## First comprehensive consultation procedures started

The Avaya European works council was informed about a pan-European restructuring project on 2 March 2015. The company from the USA, which provides telecommunications solutions for businesses, has its European headquarters in Frankfurt (photo). The EWC agreement comes under German jurisdiction and



includes the information and consultation standards from the new EU Directive. EWC Academy advisors are currently working on the analysis of the business figures which are the basis for the management's project. The EWC Academy was commissioned as advisor in December 2014 (see [report in EWC News 4/2014](#)).

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### Call center operator accepts participation in the supervisory board



A SE participation agreement was signed on 27 March 2015 for Amevida in Gelsenkirchen. For the first time in the company's history, the twelve member Special Negotiating Body, with support from the EWC Academy, was able to enforce employee participation on the supervisory board. As one of the largest German call center operators, Amevida provides integrated customer relation management for large customers. In the transition period, the German central works council will fulfill the role of the SE works council, with two employee representatives on the supervisory board. Subsequently foreign subsidiaries will be added and the SE works council will hold three regular meetings per year.

- [Further information on employee participation in the SE](#)

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### EWC basics seminars in Montabaur Castle

From 7 to 10 April 2015 the annual introductory seminar of the EWC Academy took place in Montabaur castle. On the agenda was the way to establish a new European works council and how to make the most of the new legislation on information and consultation in restructuring. The motto was: from a "song-an-dance-act" to a fully fledged European works council. Since the blueprint of the EU Directive was the information and consultation procedure in France, European works councils need to look from a French perspective through "French glasses" to strategically develop the EWC.



- [Report of this seminar in 2012](#) (in German)

### 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 619 employee representatives from 233 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)



### Employee representatives in U.S. companies

For the third time, a conference is being held for U.S. company works council members on 11 and 12 June 2015, this time in Berlin. Besides presentations there will be possibilities for an exchange of experience on European works council activities and on the American management culture. Works council members from European companies with sites in the USA may also participate. Klaus Franz, former EWC chairman of General Motors will moderate the conference. The Social affairs attaché of the German embassy in Washington, Hermann Nehls, will attend as a guest speaker.

- [Program and registration form](#) (in German, English interpretation on request)

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## Seminars on labour legislation and EWC work in Manchester

In 2015, the EWC Academy will further increase its seminar offering in the United Kingdom and has started co-operation with the Trade Union Education Unit at Manchester College. The training facility is highly specialized in workplace employee representation and was awarded a TUC prize for quality in 2012. A seminar is being organized for the first time from 23 to 25 June 2015 on labour legislation and industrial relations. The British system will be presented in German; in parallel there will be a seminar for English-speaking participants on the German co-determination system. A further seminar is being held in Manchester from 2 to 4 September 2015 aimed at EWC members who wish to work more proactively in the future (in English, with interpretation on request).



- [Program for both events](#)

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## Seminar on French industrial relations in Paris



For the fourth 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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## Additional seminar dates

- Luxemburg, 28 September - 1 Oktober 2015: Seminar on EU labour law and its impact on the German labour law, including a visit to the European Court of Justice.
- London, 22 + 23 Oktober 2015: Annual EWC conference (with simultaneous interpretation)
- Hamburg, 28 - 30 Oktober 2015: Legal EWC seminar, subtleties of a EWC agreement, past EWC case law and application of the new EU-standards in cases of legal doubt
- Hamburg, 28 - 30 Oktober 2015: Data protection in the international group

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## Language courses: Business English for works council members

- 12 - 18 July 2015 in Eastbourne (on the English channel coast)
- 20 - 26 September 2015 in Dublin
- [Further information on our language courses](#)

Full program available on request.

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## 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

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