

Infopoint is an SDA project providing free support to social partners relating to the 04030303 budget line, supported by the European Commission. Convention VS/2006/0713 - SI2.452628



Pa RI PARTICIPATION & RIGHTS LETTER

WORKER'S INFORMATION AND CONSULTATION RIGHTS IN EUROPE

ETUC ON THE OFFENSIVE FOR STRONGER EUROPEAN WORKS COUNCILS.

Dear readers,

At the 11th congress of the European Trade Union Confederation (ETUC) held in Seville from 21st to 24th of May 2007, the approximately 700 delegates attending expressed their respective will to go on to the offensive in requesting a more social Europe. The



context of Seville's congress took on aspects that differed from the 2003 congress in Prague. In the meantime, in fact, Europe has expanded from 15 to 27 Member States and is currently experiencing an unforeseen crisis following France's and the Netherlands' rejection of the constitutional treaty. The debate addressed five major themes: restoring dynamism to European unions, reinforcing the social dimension of the European labor market, increasing the role of social dialogue, of collective bargaining and of workers'

participation, providing the EU with European, social and environmental governance, and lastly the future of the constitutional treaty and of the Charter of fundamental rights. Various texts were adopted: the action plan defining the direction the policy to be conducted in the next four years will take; an urgent resolution defending the Charter of Fundamental Rights and the Seville Manifesto (<http://www.etuc.org/r/1104>).

The latter document points out that the role and the future of the EWCs - European Works Councils - are of fundamental importance: the Councils represent, and should do so increasingly in the future, the main core of European unionism in multinationals. The European trade union movement (ETUC, European Industry Federations) must also draw on the capacity for coordination of the EWCs so as to be better able to meet the challenges of globalization and the threats of corporate social dumping, in order to reinforce the strategy to defend the social model and employment and ultimately improve living and working conditions.

John Monks, ETUC General Secretary

INDEX

New Ewcs And SE Agreements	2
Soon in the Ewc Database	2
Negotiations to Establish a EWC Continue	2
Negotiations to Establish a SE Continue	2
News from the EU:	
New contribution to the revision	
of Directive 94/45/EC on EWCs	3
News from the European Industry Federations	
and the Etuc:	
Etuc	4
Uni-Europa	5
Eifj	6
Epsu	6
Etf	6
Emf	7
Emcef	7
Upcoming Events:	
Etf	8
Uni-Europa	8
Publications/Reports:	9

NEW EWCS AND SE AGREEMENTS

SCOR Group: First listed French company transformed into a European Company (SE) With board-level participation of employees and a permanent SE works council, a model and fully-fledged international framework for industrial relations has been established. An agreement on the constitution of a SCOR Group Common European Companies Committee (CCSE) was signed on 14 May by the Management of the SCOR Group and employee representatives, including UNI's affiliates CFDT, CFE-CGC and CFTC. The CCSE is composed of 19 members (11 from SCOR Global Life SE, 6 from SCOR Global P&C SE and 2 from SCOR SE). It has prerogatives in terms of information and consultation: it is informed of strategic and financial changes that may affect working conditions within the European Union and consulted on all planned measures affecting the interests of employees in several EU countries.

For further information, see: UNI News
oliver.roethig@union-network.org

SOON IN THE EWC DATABASE

Completion of negotiations to set up an EWC at Arcelor Mittal

On 18 April 2007, in Aviles (Spain), management and employee representatives of Arcelor Mittal, the world's largest steel producer, finalized negotiations to set up a European Works Council (EWC).

For further information, see: EMF press release

NEGOTIATIONS TO ESTABLISH A EUROPEAN WORKS COUNCIL (EWC) CONTINUE

On 30 May, an SNB was set up for Donnelley.

The EWC agreement will be negotiated under UK law. The countries represented are Belgium, France, Poland, Hungary, Germany, UK, Ireland and the Netherlands. The elected external expert is Steve Sibbald, UNITE, UK.

(ivonne.jackelen@union-network.org)

NEGOTIATIONS TO ESTABLISH A EUROPEAN COMPANY (SE) CONTINUE

It looks highly likely that on 26 June 2007, the Porsche shareholders' Extraordinary General Meeting will approve the Supervisory Board proposal to transform the Company into an SE.

For further information, see: Porsche press release

NEWS FROM THE EU

NEW CONTRIBUTION TO THE REVISION OF DIRECTIVE 94/45/EC ON EWCS

BY ROMUALD JAGODZINSKI

Even though the revision of the EWC directive has remained overdue since 1999 and seems to have reached a stalemate, from time to time new chords are being struck by various EU players.

Officially, we are in the middle of the second stage of consultation with social partners, introduced by the European Commission in March 2005. However, the public consultation has hitherto brought no concrete outcome. In order to urge the Commission to accelera-



te the revision process in September 2007, the European Economic and Social Committee adopted a position calling for more concrete action and for the revision to be completed as soon as possible as a means of improving European integration. On the 10 May 2007, in a 'resolution on strengthening European legislation in the field of information and consultation of workers', the European Parliament again expressed its concern about the long-overdue review of Directive

94/45/EC. In the document, the Parliament made a direct reference to Directive 94/45/EC, to other EU acts on employee rights to information and consultation as well as to previous positions, reports and opinions submitted by players involved in EU social policies. The introductory recitals of the resolution recall many well-known arguments such as the challenge posed for employees by globalization and by restructuring, merger and relocation processes, and the safeguarding of their right to information and consultation. It highlights that quality information and consultation are 'an important component' of the European social model. Against this background the Parliament is appealing to the Commission to step up efforts and actions aimed at revising and renewing the EU legal framework for workers' rights concerning information and consultation. The Parliament also calls upon the Commission to present a timetable for the review and modernization of Community legislation on information and consultation, collective redundancies, safeguarding employees' rights in the event of transfers of undertakings and, in particular, the long-awaited revision of Directive 94/45/EC. The Parliament points out in particular that the EWC directive either remains unimplemented or is often implemented in an inadequate way.

This Parliament resolution touches upon the modernization of social legislation on workers' rights in the EU. However, it is especially important and can be benevolent for the revision of the EWC directive as it puts the urge for it in the very centre of interest. Now, following a long period of inertia in this area, one can only hope that the resolution will inject new momentum into the process of revising the EWC directive.

For further information, see:

European Parliament resolution of 10 May 2007 on strengthening European legislation in the field of information and consultation of workers

NEWS FROM THE EUROPEAN INDUSTRY FEDERATIONS AND THE ETUC



ETUC - EUROPEAN TRADE UNION CONFEDERTION

MORE THAN 200 EUROPEAN WORKS COUNCIL MEMBERS MET IN BRUSSELS TO PUSH FOR URGENT REVISION OF THE EU DIRECTIVE

The European Trade Union Confederation (ETUC) in cooperation with the SDA convened some 200 European Works Council members in Brussels on 20 April 2007. The EWC representatives had the opportunity to express their opinions on current conditions in the labour market and the role of EWCs in restructuring processes, in the presence of EU Employment Commissioner Vladimir Spidla, BusinessEurope, and other European



institutions. The European Works Council representatives, together with ETUC and the European Industry Federations, demanded an effective system of information, consultation and participation and the definition of a legal framework for transnational collective bargaining, in order to foster a sustainable European integration process based on a strong social dimension. Delegates strongly reiterated their call for the revision of the European Works Council Directive 95/45/EC. "The revision of the EWC directive has

been due for very long time now," pointed out ETUC Confederal Secretary Walter Cerfeda. "It should at least include a better definition of information and consultation, a more precise framework for the timing and quality of the information transmitted, clear rules on the participation of both technical and trade union experts, and the right to training for members."

For more information, see: Invitation and agenda

ETUC, BUSINESSEUROPE, CEEP AND UEAPME SIGN A FRAMEWORK AGREEMENT ON HARASSMENT AND VIOLENCE AT WORK

The agreement aims to prevent and, where necessary, manage problems of bullying, sexual harassment and physical violence in the workplace. Companies in Europe will have to adopt a policy of zero-tolerance towards such behaviour and draw up procedures to deal with cases of harassment and violence where they occur. Data suggests that one in 20 workers (5%) reports being exposed to bullying and/or harassment each year. With this agreement, the European social partners firmly condemn harassment and violence in all their forms and recognise that harassment and violence can potentially affect any workplace and any worker, even if in practice some groups and

sectors may be more at risk. Amongst other things, the agreement provides a method for preventing, identifying and managing problems of harassment and violence at work, which:

- requires that enterprises clearly state that harassment and violence in the workplace are not tolerated and explain the procedure to be followed in the event of a problem,
- recognises that the responsibility for determining, reviewing and monitoring the appropriate measures rests with the employer, in consultation with workers and/or their representatives,
- allows the provisions of the agreement to deal with cases of violence by third parties where appropriate.

Members of BUSINESSEUROPE, UEAPME, CEEP and ETUC agreed to implement the provisions of this autonomous agreement by April 2010, in accordance with procedures and practices specific to management and labour in their country. For further information, see: Social Partners' Framework agreements Framework agreement on harassment and violence at work



UNI-EUROPA

DEXIA EWC LOOKS AT GLOBAL FRAMEWORK AGREEMENT 05/21/2007

The EWC has discussed with UNI Finance moves towards a global framework agreement in the company. This would expand on existing provisions and extend them to countries outside the EU.

For further information, see: UNI News
(oliver.roethig@union-network.org)

ORACLE EWC BY LAW

The SNB and EMEA HR management have failed to reach a voluntary agreement during their final negotiations. Management rejected a proposal from the SNB, even though it fell substantially below the rights granted by the European Works Council directive. At the same time, the SNB rejected a management document that did not include any meaningful consultation rights. Following the failure of the three-year negotiations, the statutory provisions of an EWC by law came into effect as of 11 May 2007.

For further information, see: UNI News
(gerd.rohde@union-network.org)

AXA: FREE STOCK OPTIONS TO BE DISTRIBUTED TO EMPLOYEES WORLDWIDE

The French insurance company has pledged to distribute free stock options to all its employees worldwide. This is the result of a demand made by Axa's EWC following the group's results in 2006.

For further information, see: UNI News
(oliver.roethig@union-network.org)

EFJ - EUROPEAN FEDERATION OF JOURNALISTS

INTERNATIONAL FRAMEWORK AGREEMENT WITH GERMAN MEDIA GIANT WAZ MEDIENGRUPPE

The EFJ has negotiated an international framework agreement for journalists with the management of Essen-based WAZ Mediengruppe. It was finalised after discussions between the EFJ and its German affiliates, the DJV and DJU in ver.di and has the support of unions with members in subsidiaries in countries such as Austria, Serbia, Croatia, Bulgaria, Macedonia and Montenegro. The agreement includes company sponsorship for the creation of a group forum that will provide an annual meeting for journalists' union representatives. The company and the EFJ have agreed to the implementation of international labour standards throughout the group and the agreement commits both sides to working together to improve the quality of journalism and to combat threats to press freedom from governments. The Agreement is explicit in its assurance that it does not replace or in any way prejudice existing national or future agreements reached between the company and its employees. The EFJ is convinced that it will reinforce and highlight the cause of social dialogue and quality journalism, as well as union representation and bargaining at all levels.

For further information, see:

Euronews - Bulletin of the EFJ_en

Euronews - Bulletin de la EFJ_fr

Euronews - Bulletin der EFJ_de

STRENGTHENING SOCIAL DIALOGUE IN MEDIA MULTINATIONALS

At the EFJ seminar on European Works Councils organised in Sofia on 20-21 April, EFJ participants, shop stewards and union officials dealing with companies, and in particular European Works Councils, discussed perspectives for the future. Over 30 participants from 10 European countries discussed the current state of affairs and the progress to be made with setting up works councils in media companies that operate in several countries. The EFJ's ambition is to use EWCs to fight the "double standards" of Western media companies that operate in Central and Eastern Europe and often fail to provide decent working conditions there. A study is in preparation, based on information and proposals exchanged during the meeting.

For further information, see:

Euronews - Bulletin of the EFJ_en

Euronews - Bulletin de la EFJ_fr

Euronews - Bulletin der EFJ_de



EPSU - EUROPEAN FEDERATION OF PUBLIC SERVICE UNIONS

Steady progress with European Works Councils in EPSU areas

On 23 April 2007, EWC coordinators met to discuss recent developments.

For further information, see: Report on meeting



ETF - EUROPEAN TRANSPORT WORKERS' FEDERATION

First seminar on EWCs outlines key actions for transport unions

A first seminar for trade union members who are delegates of European Works Council Select Committees was organized by the ETF on 2- 4 May in Berlin. The event brought

together 26 participants from Air France KLM, British Airways, Deutsche Bahn, Deutsche Post - DHL, Dubai Ports, LSG Sky Chefs, TNT, TUI, UPS, VEOLIA and Wincanton.

For further information, see: Report on the seminar



EMF - EUROPEAN METALWORKERS' FEDERATION

EUROPEAN TRADE UNION REPRESENTATIVES UNANIMOUSLY OPPOSE NOKIA SIEMENS NETWORKS' ANNOUNCED RESTRUCTURING PLAN

Trade union representatives from Nokia Siemens Networks (NSN) operations in Europe met on 25 May 2006 under the auspices of the European Metalworkers' Federation (EMF) to discuss the restructuring plan announced by NSN management. The NSN management representatives present at the meeting, who were invited to talk with employees' representatives, confirmed the scope of the restructuring plan. For further information, see: EMF press release

EMF CALLS FOR STRONG INFORMATION AND CONSULTATION RIGHTS AT THE FIRST COMPANY POLICY CONFERENCE

At the occasion of the first EMF Company Policy Conference, held in Brussels on 22nd and 23rd November 2006, 200 shop stewards, trade union representatives and European Works Council members discussed the need for early and good quality information and consultation for workers' representatives on the industrial and economic future of companies in the metal industry.

For further information, see: EMF press release



EMCEF - EUROPEAN MINE, CHEMICAL, AND ENERGY WORKERS' FEDERATION

TRANSFORMATION OF COMPANIES INTO SES

As usual EMCEF and its affiliates are involved in negotiations on several agreements on EWCs, in some other cases initiatives had been taken to enter into negotiations later. Apart from the activities on EWCs the most important issues on the EMCEF agenda is the transformation of companies into SEs. In February BASF AG in Germany, the biggest chemical company not only in Europe decided to change into a European Company. Elections for the Special Negotiating Body had been concluded recently - EMCEF is holding a mandate in this SNB. The ETUI-REHS is involved with an expert. First meeting of the SNB has taken place on the 11 and 12 of June 2007. In this meeting a timetable and main topics for the negotiations were agreed."

UPCOMING EVENTS



ETF - EUROPEAN TRANSPORT FEDERATION

In June and July 2007, the ETF will be organizing a series of meetings with Belgian affiliated transport unions to discuss a common approach for the future regarding EWCs and multinational companies operating in Europe. This is the second national meeting, following the meeting of UK affiliated members in March this year. It aims to raise awareness and to mobilize affiliates so they can do more to address the challenges facing employees and employee representatives from multinationals. The meetings are timely. Since the ETF re-launched its EWC coordination activity in late 2006, we have relied on national affiliates to increase their support for and maintain contact with their members sitting on EWCs, to help negotiate better agreements and to ensure better representation of unions in EWCs. We are initially targeting countries whose transposition covers the highest number of EWCs in transport, such as Belgium, Germany and the UK.



UNI-EUROPA

- Seminar on EWCs in the printing and publishing sector for Community-wide corporations with Italian parent companies, 18-20 June 2007, Verona, Italy (Project coordinator: FISTEL)
- Seminar of the Multinational Taskforce in the ICT and Services Sector in UNI, 3-4 July 2007, Luxembourg
- European Gravure Conference to expand the UNI-Europa Graphical Gravure network, 20 - 25 September 2007, Liverpool, UK (Project coordinator: VERDI)
- Joint UNI-Europa and ETUI-REHS seminar on "EWCs in a globalised economy", 12-14 October 2007, Vilnius, Lithuania

PUBLICATIONS / REPORTS



EWCD.B.EU

In collaboration with some twenty-one research institutes and the European Industry Federations, the former ETUI (now the Research Department of the ETUI-REHS) has created an EWC database that identifies multinational companies that fall within the scope of the EWC directive. This database was put together for the first time in 1995 and is now online.

For further information, see: www.ewcdb.eu



WORKER-PARTICIPATION.EU

Involving workers in company decisions is not only an important element of the European social model but also makes good economic sense in modern economies. Against this background, the EU is committed to promoting strong workers' rights to information, consultation and participation at all levels within companies. Worker-participation.eu provides information about what is happening at European level in this field and about the national background to industrial relations in each of the 27 EU Member States.

For further information, see: www.worker-participation.eu



POTENTIAL AND RISKS OF EMPLOYEE INVOLVEMENT NEGOTIATIONS UNDER THE PROVISIONS OF DIRECTIVE 2001/86/EC - HANDBOOK FOR NEGOTIATING EMPLOYEE INVOLVEMENT IN EUROPEAN COMPANIES

This publication was developed as part of the SDA Infopoint Project, in cooperation with the ETUC. It provides an analysis of Directive 2001/86/EC on employee involvement in SEs, and as the name "handbook" suggests, it aims to help those dealing either as trade union officials or as employee representatives with negotiations on employee involvement in European companies. It is intended for people with a basic knowledge of European companies, who need a more in-depth understanding of the legal background.

EFFECTIVENESS OF INFORMATION AND CONSULTATION RIGHTS OF EMPLOYEES AND HOW THEY CHANGE. A MODEL OF ACTION FOR EWCs FACING THE CHALLENGES OF CHANGE- CHALLENGING CHANGE: METHODS OF ACTION FOR EWCs

A contribution to the EWC conference on 20 April 2007, on how EWCs are coping with restructuring processes twelve years on from the adoption of the EWC directive.

Publication in EN

Publication in FR



FOUNDATION RESEARCH ON EUROPEAN WORKS COUNCILS 1994-2006

The Dublin Foundation recently published a résumé of research carried out by the Foundation on EWCs. Résumés generally consist of four pages and provide background information on the subject, as well as key research findings.

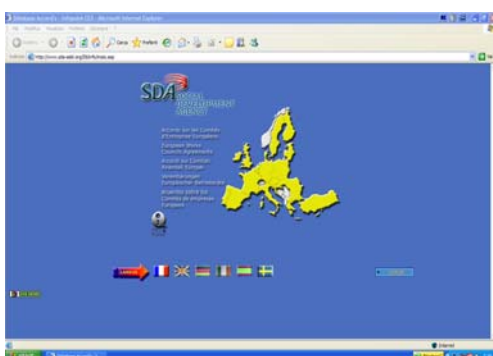
For further information, see: Resumé on the Foundation's research on EWC 1994-2006

FIRST EMF COMPANY POLICY NEWSLETTER

This Company Policy Newsletter is a response to repeated requests made at the first EMF Company Policy Conference organised in November 2006. The purpose of this Newsletter is primarily to take a European view and give a true sense of belonging to Europe by providing transnational examples of how EWCs and coordinated actions at European level can improve employees' overall situation at work. In practice, this means that information will be given on developments in respect of European and national labour legislation, and that information will be distributed on good EWC agreements and best practices in cases of company restructuring.

For further information, see: CPC Newsletter No 1 in EN-FR-D

EWC DATABASE INFOPPOINT-SDA



The EWC Infopoint-SDA Agreements Database has been developed and run for a number of years as part of the Infopoint project (supported by the European Commission). It contains an analysis of EWC agreements from copies of signed originals in five languages - English, French, German, Spanish and Italian. The SDA collects the agreements in co-operation with European Industry Federations. We analyse the agreements and input the information we gather into over sixty searchable fields. Our database currently covers over 730 agreements and is constantly updated.