



[Interview]

“ On the offensive: for stronger European Works Councils ”

Interview with Reiner Hoffmann, Deputy General Secretary of the ETUC



1) Why has the ETUC not accepted to initiate the negotiation procedure in the frame of the social dialogue in order to revise the European Works Councils (EWC) directive?

Reiner Hoffmann: Until recently, repeated attempts by the ETUC to reopen matters with the employers have been rejected and they have not seen the need for a revision of the Directive at all. Only when the Commission produced its proposals did BusinessEurope develop a mandate for talks. We welcome that change of heart, but it causes problems with the timetable necessary to see the revision of the Directive by the end of the year as scheduled in the legal work programme of the Commission.

Despite intensive informal efforts it has not been possible to secure the agreement of the employers to complete the negotiations within the necessary timetable for the revision to be accomplished within the lifetime of this Commission and Parliament. Nor have

the employers given any indications that they would be prepared to move significantly on the ETUC key demands. The ETUC regrets that BusinessEurope was not in a position, under the admittedly difficult circumstances, to contribute to the creation of a robust basis for negotiation. In the end the ETUC had to decline the option of negotiating.

2) What are the key proposals and demands of the ETUC for the revision of the EWC Directive?

RH: Article 15 of the Directive had foreseen until 22 September 1999 the revision and explicitly mentioned the need to consider the definition of thresholds for the number of employees. The Commission correctly emphasizes that the right to information and consultation laid down in Article 27 of the European Union's Charter of Fundamental Rights has the character of a fundamental right. For the ETUC the basic question arises, whether employees can be excluded from the application of the EWC Directive on the sole ground of the size of the enterprise. In any case, ETUC's clear demand is that the threshold be reduced from 1000 to 500 and from 150 to 100 employees respectively.

Other substantial core areas of the revision of the EWC directive are:

- The harmonisation of the definition of "information" and "consultation" corresponding to Directive 2001/86/EC on the

completion of the statutes of the European Company (SE) with regard to worker participation.

- The recognition of the role of the European Industry Federations in the Special Negotiating Body and in European Works Councils.
- The possibility of renegotiating Article 6 and Article 13. agreements that all EWCs should be able to benefit from an improvement of the directive.
- Improvement of working conditions of the EWC (among other things at least two meetings per year, the right to training, access to undertakings and inclusion of external experts).

3) What does the ETUC expect the Commission to do next?

RH: The revision is long overdue and we expect the Commission to present a revised Directive on the basis of its consultation document by the beginning of June 2008, in order to enable the European Parliament and the Council to adopt it by the end of 2008. We have responded comprehensively to the consultation paper and forwarded concrete and constructive proposals which the Commission should take on board in a revised Directive (here you can make a link to our web and our response!)

Useful links:

- ▶ [Section of the ETUC site devoted to EWCs](#)
- ▶ [ETUC response to the European Commission consultation on revision of EWC directive](#)