



Vorstand
Headquarters

CRIMIC

Corporate Restructuring and Innovative Management of Information and Consultation

Strengthening the ability of EWCs to develop common positions and strategies

Project Documentation

Frankfurt, November 2008



This project was organised with financial support of the EU

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Annex:
Project documents in other languages
(German, French, Spanish, Polish)

Preface

With this documentation we present materials and results elaborated in the context of the CRIMIC project which was carried out between November 2007 and November 2008. The project was co-funded by the European Commission in the context of the Budget Line 04 03 03 03 – “Information, Consultation and Participation of representatives of undertakings” – and coordinated by the EWC team at the IG Metall headquarters in Frankfurt.

The main aim of the CRIMIC project was to support EWCs in companies of the metalworking sectors which are confronted with challenges and tasks in the context of restructuring operations. By an exchange of information and a transnational seminar the project supported the development of competences, the better use of existing resources and learning from good practice and experience in the field of information, consultation and employee participation at the company level.

Beside the German Metalworkers Union IG Metall in Germany, the CRIMIC project involved partner organisations from the United Kingdom (Unite), Spain (FM.CC.OO.), France (FGMM-CFDT), Belgium (CCMB) and Poland (Solidarnosc and OPZZ). Above that EWC representatives from seven companies and EWCs were directly involved in the project, mainly by trade union coordinators and/or EWC steering committees or other keyplayers in the responsible EWCs.. The project was also actively supported by the European Metalworkers Federation EMF.

The following documentation contains the following materials:

- Overview on basic information on the seven companies involved in the project and a summary of the main challenges of EWC development and policy in the context of restructuring
- Documentation of the transnational workshop held in Lohr in February 2008, including the presentations and results of the working groups
- The results of the evaluation process carried out at the end of the project period with the participants of the February-Workshop.

On behalf of the project team

Marika Varga

Project manager

IG Metall Headquarters, Department for Company Policy

Frankfurt, December 2008

1 Overview of project objectives and activities

1.1 Background and objectives of the CRIMIC project

Today, decision-making in multinational companies takes place earlier and on a more centralised level. Thus, decisions are made on a more international level, lessening the influence of national workers' representations. Therefore, EWCs are an important completion to represent the interests of the employees.

Many EWCs are not able to implement their rights resulting from the EWC Agreement and the EWC Directive. Central Management often ignore the information and consultation rights of the EWC completely or the information comes much too late. In concrete restructuring situations EWCs fail to develop a common position or strategy.

Against this, IG Metall together with metalworkers trade union organisations in the United Kingdom, Spain, France, Belgium and Poland has developed the CRIMIC project which stands for "*Corporate Restructuring and Innovative Management of Information and Consultation - Strengthening the ability of EWCs to develop common positions and strategies*".

The basic aim of the project was to enhance capacities and competences of EWC members and EWC coordinators in the context of restructuring, i.e. learning from the practice in other companies, making use of resources provided by the EMF and develop ideas on the improvement of the own policy in exchange with others in the context of transnational project meetings and a transnational seminar. Other important aims were:

- to develop competences of EWC actors in order to enable them to deal with challenges and new tasks in the context of transnational restructuring operations in their companies in a more efficient way;
- to support EWCs in enhancing and developing internal structures of communication and practice in order to better equip them for dealing with transnational restructuring;
- facilitating a structured exchange of experience of EWC delegates with regard to framework conditions and environments of information, consultation and employee participation at the company level in the metalworking sector;

With the project, the partner organisations wanted to address in particular the needs of those EWCs which only have limited resources available.

1.2 Project activities

Preparatory work and kick-off-meeting

CRIMIC was carried out in close cooperation of project partners which came together at a kick-off meeting in January 2008 at the IG Metall headquarters in Frankfurt where the project working plan was presented and the aims and contents of the transnational workshop were discussed. In the context of the meeting an exchange of experience

regarding EWC involvement in restructuring operation also took place. This was a result of a stock-taking process with regard to the involved companies and carried out concentrating on the following aspects:

- Major processes of restructuring (mergers, acquisitions, relocation, off-shoring, outsourcing, organisational restructuring etc.) in the companies involved
- Practical experiences as well as weaknesses, strengths, innovative aspects of transnational information and consultation in the companies involved in the project
- Demands regarding the further development, improvements and strengthening the efficiency of EWC practice with regard to transnational information and consultation. This will also include suggestions with regard to improvements of communication practice and procedures

The stock-taking was carried out in cooperation with the project partners in the companies involved and addressed the following main issues:

- Basic profile of the company
- Restructuring operations at the company level during the last 5 years
- EWC structure and practice
- Context, strength and weaknesses of information, consultation and participation at company level
- Demands for further improvement of information, consultation, employee participation and transnational communication

Major results of this survey can be found in this documentation.

Another focus of the kick-off-meeting and the preparatory phase was an exchange between the project organizers and the EWC coordinators regarding suggestions and demands concerning the main project activity, i.e. the transnational seminar. The kick-off was mainly based on the exchange of information on restructuring processes in the involved companies and how their EWCs dealt with them so far but also on an evaluation of innovative and good EWC practice with regard to employee involvement and social dialogue, information and consultation in restructuring operations in other companies and the metalworking sector as a whole. In this context the project could also rely on material developed by the European Metalworkers' Federation EMF, e.g. the "Restructuring Handbook" which is available several languages.

Transnational seminar

Between 17th and 20th February 2008 the transnational seminar took place at the IG Metall Training Centre in Lohr with representatives of all project partners, EWC representatives, members of the IG Metall project team and experts. The seminar was attended by 35 participants from Germany, France, Spain, the UK, Poland, Belgium and from the EMF.

The transnational seminar focussed on three main topics in the context of restructuring and EWC development:

- A stock-taking of restructuring operations (relocation, outsourcing, mergers and acquisitions) in the companies involved in the project with a focus on their effects on employment and industrial relations at the company level
- Structured exchange of employee experience regarding framework conditions of EWC practice and in particular transnational and national information, consultation and participation/dialogue in the involved companies as well as information on innovative approaches and good practice in other companies in the metalworking sector
- Framing of requirements with regard to improving EWC practice in the companies involved – for each company a specific “requirement profile” should be developed as an important outcome of the seminar

A detailed programme and documentation of the transnational seminar is presented in the part three of this documentation.

Implementation of exemplary measures and evaluation of project results and activities

The seminar was followed by a phase of implementing exemplary measures as defined and drafted in the context of the working group and plenary discussions at the seminar in the involved companies.

Outcomes of this process then have been evaluated by the project coordination team at the end of the project. This evaluation was based on a written questionnaire which was sent to all seminar participants with results been evaluated and presented in an evaluation report which was made available in all project languages. The evaluation report is presented in part four of this documentation.

2 Documentation kick-off-meeting January 2008



International EBR Workshop to be held from 17 to 20 February 2008:
Corporate Restructuring and Innovative Management of Information and Consultation (CRIMIC)
– Strengthening the Ability of EWCs to Develop Common Positions and Strategies

– Preparatory meeting on 15 January 2008 –

Overall Aims of the Workshop:

- (1) Exchange of experience
- (2) Improving participants' own EWC practice
- (3) Knowledge transfer
- (4) Networking among participants

Programme Points and Aims:

Programme point	Aims
Exchange of experience about main issues and working methods of the participating EWCs	(1) systematically reflect on own EWC work (2) learn from one another
Content/Input 1: EMF	(1) Understanding the EMF (2) get to know and discuss EMF positions (3) get to know "EMB Toolbox" on dealing with company restructuring
Focus on selected issues in working groups	(1) allowing room to discuss concrete problems faced by participating EWC's and jointly develop solutions (2) allowing room to discuss wider issues relevant to the current questions and issues faced by the participating EWC
Opportunity for EWC delegations to agree company-specific next steps or strategies	Opportunity (room/interpretation) for EWC members to address acute EWC-specific questions, problems or issues
Content/input 2: Legal decisions regarding EWCs	(1) Applying current legal decisions regarding EWCs to own EWC situation (2) Opportunity to clarify legal questions surrounding EWCs

❖ This project is financially supported by the EU Commission. ❖



Corporate Restructuring and Innovative Management of Information and Consultation (CRIMIC)

– Strengthening the Ability of EWCs to Develop Common Positions and Strategies

Preparatory Meeting of the EWC Coordinators
on 15th January 2008 in Frankfurt am Main

The project takes place with the financial support of the EU Commission

1



Framework Conditions

- Decisionmaking in companies takes place on the central level, i.e., on the international level – national/local worker representations loose influence
- EWCs = the only international worker representation; but they do not have much influence (some exceptions)
- 800 EWCs; 330 EWCs in the metal industry
- bad working conditions are an obstacle to a better ability to act as an EWC (Revision of the EWC Directive!)

The project takes place with the financial support of the EU Commission

2



Aims of the Project

- ★ Improve the communication within the EWC when it comes to company restructuring – EWCs must be able to act by
 - ★ early and transparent exchange of informationen and experience
 - ★ working out common positions of the workers
 - ★ developing common strategies
 - ★ thus impeding that workers are played off against one another

The project takes place with the financial support of the EU/Commission

3



concretely....

- ★ structured exchange of experiences in the workshop
- ★ better use of ressources and structures
- ★ lively communication even between the EWC meetings
- ★ better cooperation between the international and the national structures of worker representations
- ★ model-like trying of improvements in the companies involved

The project takes place with the financial support of the EU/Commission

4



What is happening?

1. Preparatory meeting of the EWC coordinators on 15th Jan 2008
 - Stock-taking of relevant EWC issues
 - to what extent is the EWC able to act when it comes to company restructuring
2. Workshop for EWC members and coordinators from 18 to 20 February 2008
3. transfer into practise and try out in the companies
4. Final evaluation workshop on 1st October 2008

The project takes place with the financial support of the EU commission

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Results from the Project

1. Qualitative results:
 - requests to the EMF and the national unions with regard to a better support for EWCs
 - improvement of internal communication processes and the EWCs' ability to act
 - more influence of EWCs and thus the national worker representations in case of company restructuring
 - further development of the training activities of the EMF and its affiliates
2. „products“:
 - Training materials and manuals for EWCs
 - final report and documetation of the project

The project takes place with the financial support of the EU commission

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Participants

- 7 companies (Areva, Caterpillar, Exide, Flowserve, Mahle, Mann+Hummel, Stryker)
- 12 project partners (EWCs and trade unions)
- 5 languages (german, english, french, polish, spanish)
- 41 EWC members and coordinators
- 12 trade unions from 7 countries, 2 non-union members
- EMF and external experts

The project takes place with the financial support of the EU/commission

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Finances and Duration of the Project

- **total sum: 120,820 €**
 - staff costs: 29,900 €
(project management, administration, experts)
 - costs for travelling and accomodation: 50,520 €
 - costs for services: 28,900 €
(disseminations, translations, interpretations, experts)
 - costs for rooms and technical equipment: 4,500 €
 - overhead costs: 7,000 €

Duration of the Project

- 15th November 2007 to 15th November 2008

The project takes place with the financial support of the EU/commission

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3 Profiles of participating companies

3.1 Overview

The CRIMIC project addressed company representatives and EWC delegates as well as trade union EWC coordinators in seven transnational companies in the metalworking sector. The project in particular focussed on transnational undertakings which are not the well known big companies in this sector but rather of medium sized shape.

Amongst the EWCs involved in the project there were both EWCs established at a rather early stage under Art. 13 of the EWC Directive as well as EWCs established only recently under so called Art. 6 agreements.

The transnational companies directly involved in the project might be clustered along the following indicators:

- Multinationals with a clear focus of production in the country of origin like Mahle, Stryker or Flowserve but also Mann + Hummel
- Medium sized and larger companies with a rather plural EWC composition covering a lot of European countries (Caterpillar, Exide, Areva)
- Companies which have already established an EWC during the mid-90s (Exide, Caterpillar, Mann + Hummel, Mahle) and a group of companies where the EWC was established only after 2000 (Arvea, Stryker, Flowserve)

The companies involved in the project covered different countries of origin (Germany, France, Spain, Belgium, UK) and thus, different national EWC laws. In nearly all cases the enlargement of the EU and the integration of EWC delegates from the new member states has been an issue of internal organisation development.

The project comprised a group of companies which do not illustrate “good practice” in the first place but rather a representative group of “mainstream” experience in transnational information, consultation and employee participation. It should also be noted here, that all companies involved in the project have recently experienced restructuring operations and from the point of view of the EWC the improvement of information, consultation and internal communication has become a major challenge.

By targeting EWC delegates directly, the project is also addressed multipliers who will contribute to the dissemination of the project results within their organisational realms, in particular the involved trade union organisations in the metalworking sector.

The following table summarizes basic data on the companies involved in the CRIMIC project.

Transnational companies directly involved in CRIMIC

Name	Company headquarters	EWC law	Number of employees in Europe	EWC installation
Exide	USA	Spain	~ 10.300	1996
Areva	France	France	~ 42 000	2004
Stryker	USA	Germany	~ 3.600	2001
Caterpillar	USA	Germany	~ 23 000	1996
Mann+Hummel	Germany	Germany	~ 7 500	1996
Mahle	Germany	Germany	~ 20 000	1997
Flowserve	USA	UK	~ 5 000	2004

3.2 EWC issues and challenges

During the preparatory phase EWC representatives of the involved companies summarized current topics and important issues on the agenda of the respective EWCs including also expectations regarding the international seminar.

The following paragraphs give an overview of this stock-taking phase:

Mahle**Current topics of EWC practice**

1. *Communication between EWC sessions*
 - So far, there is no internal e-mail-address for the EWC (though management has agreed in principal)
 - In particular communication with EWC delegates in countries is difficult when different trade unions per country are involved
 - Rotation of EWC delegates in Italy makes communication difficult

2. *Development of an EWC concept for different Europe-wide divisions of the company*
 - There is a strong need for European cooperation resulting from European strategies of restructuring of the company. For example, there was the threat of closure and relocation of a production site near Hannover. The EWC demand – similar like respective concepts at Volkswagen and GM Europe – is principally to receive a guarantee for all production sites in Europe and to redistribute capacities rather than close sites. Therefore, there is a need to develop an overall European concept.

3. *Integration of company parts into the EWC which have been acquired recently (from Dana / from Siemens-VDO)*
 - This resulted in an increase of 15 % of the European workforce and a growing diversity of national corporate cultures.
 - There is no formal problem with integration but insecurities about persons, new cultures and ideas coming into the EWC (e.g. further delegates from the UK).

Additional information:

- No common working language with at least six different languages in the EWC.
- The EWC receives information from central management only in the context of the annual EWC sessions
- Negotiations on framework agreements about social minimum standards failed because the IMF wanted to sign it. For 2008 another approach was planned without IMF involvement. A major reason for the negative position of the management: a similar agreement existed in Brazil with the employee representation and the management therefore was not interested of the IMF being involved.
- There are close contacts between the EWC coordinator and the management of the company since the coordinator is also a member of the supervisory board of the company. The contacts to trade union representatives in other countries are much less developed.
- The Spanish EWC delegate does not take part in the transnational seminar of the seminar – the EWC coordinator therefore assumed that somebody else was elected to the EWC recently.
- For the near future it is planned to employ a full-time EWC coordinator who will clearly contribute positively to EWC internal communication.

Mann + Hummel

Current topics of EWC practice

1. *Implementation of the international framework agreement signed recently*
 - For the next EWC meeting in June 2008 an implementation plan for Europe and for global company sites (activities in India and China) should be developed.
 - The agreement was signed by the IMF and includes a reference to the ILO core norms plus regulations regarding safety at work (including the establishment of a monitoring institution).

2. *Integration of employee representatives into the EWC of the Unico company in Bosnia-Herzegovina, recently overtaken by the company*
 - The company's reaction is clearly positive. This mainly results from the fact that the likely EWC delegate has the trust of the management. The EWC has to investigate whether this person has a clear mandate as an employee representative.
3. *Comparison of payment conditions, occupational profiles and company agreements (social benefits etc.)*
 - This process was stopped in the middle and a new start in 2008 was foreseen.

Expectations for the transnational seminar:

One positive result could be an improvement of internal relationships of EWC delegates.

Exide

Current topics of EWC practice

1. *There is a need to develop more uniform working conditions in Europe within the company with regard to issues such as safety at work, gender equality, anti-discrimination (agreement on common European regulations)*
 - Here, the EWC coordinator plays a crucial role.
 - This preconditions a comparative analyses of working conditions and social benefits.
 - In contrast, ILO core norms are not a big issue for Europe.
2. *Participation of the EWC and the EWC coordinator in company development and restructuring processes*
3. *Internal communication and coordination processes*
 - There is a need for more resources for communication in order to develop joint strategies and fields of action; so far the EWC chairman has acted quite isolatedly.
 - There is the demand that all EWC members should have some basic infrastructure conditions, i.e. an email address and technical equipment. Without such resources EWC members receive important information too late.

Flowserve

Current topics of EWC practice

1. *A database of all EWC agreements with contact persons would be helpful*
2. *Also an overview of EU legislation relevant for EWCs would be helpful*
 - This overview should be designed according to specific EWC requirements, i.e. major topics should be easily visible and the legal documents should be concentrated on the most important passages.
3. *Advice regarding the improvement of EWC meetings*
 - for example how to gain more control over the agenda and proceedings?
4. *Advice on improvements of the exchange of information between meetings*

Restructuring operations were not carried out at Flowserve at the time. The company was booming, orders were high. There were special projects and relocation processes which only affected a small number of employees who then were supported by social measures.

A current issue at Flowserve are codes of conducts. This issue has been discussed in the EWC but not the subject of consultation and bargaining processes. Another important topic was sexual abuse, discrimination and safety at work. There were plans to implement policies on this later in 2008. The EWC was informed.

- The EWC should become more active in this context and conclude an agreement.

Stryker

Current topics of EWC practice

1. *The networking of the EWC between the sessions is to be improved*
 - Still, the idea of competition is dominating (resulting less from real competition of the company sites but more from thinkings of cultural dominance etc.)
 - Communication problems exist though all steering group members speak English
2. *Identification of joint topics of the EWC*
 - Safety at work has been suggested
 - The EWC members should be convinced about this at the next plenary meeting

The EWC coordinator is not aware of current restructuring processes or plans.

The EWC at Stryker faces many topics on the agenda, that should be addressed. One example was an employee survey on work satisfaction

The EWC was not able to react in a structured way to management plans and decisions. This did not result from a lack of framework conditions (EWC internal meetings etc.) but from

a lack of the awareness to be a body with the task to jointly represent the interests of the employees in all countries.

One reason is that the composition of the EWC is quite difficult since only some EWC members come from the few production sites and the rest are sales people from sales offices who often are not unionised.

Areva

Current topics of EWC practice

1. EWC and national trade unions – how can their cooperation be improved?

- In the context of the restructuring plan significant tensions occurred between the French unions and the EWC on strategies and competencies

2. Exchange of experience regarding the functioning of the EWC – what can we learn from each other?

3. Restructuring processes

- Two or three years ago there was a restructuring plan which affected approximately 1,000 employees in Germany, the UK and other sites in Europe. The social measures available in this context were quite different with the employees in the UK being in the most disadvantaged position.

4 Documentation of the workshop in Lohr 17 – 20 February 2008

The workshop was designed for EWC members and EWC coordinators. In plenary sessions experience and suggestions to improve the EWC work could be exchanged. In working groups certain issues necessary for the EWC work could be deepened and concrete commitments on the next steps to be done could be agreed on.

4.1 Programme

**International EWC Workshop
17 to 20 February 2008
Lohr / Germany**

Programme

Sunday, 17th February

- Arrival and Transfer from the Airport
- 18:00 h: Dinner
- 19:00 h. Welcome and Warming Up

Monday, 18th February 2008

- Welcome and Introduction
- Presentation of the Participants, the EWCs and the Companies
- Exchange of Experience on the Focus and Working Structures of the EWCs
Input Working Groups
- Reports of the Working Groups, Discussion

Tuesday, 19th February 2008

- The European Metalworkers' Federation (EMF)
 - * Structure and Working Fields
 - * The Role of the EWCs and the EWC Coordinators
 - * Transnational Restructuring – a European Approach*Presentation, Luc Triangle, EMF Discussion*
- Working Groups on Certain Issues, e.g.:
 - * Working Structures in the EWC
 - * How to prepare a multi-lingual meeting
 - * How to deal with Restructuring

- * How to improve Internal Communication and Opinion Making in the EWC
- * How to reach a better Interlocking between the EWC and the National Workers' Representationen
- * Next Steps and Projects of the EWC
- Presentation and Discussion of important Working Groups' Results

Wednesday, 20th February 2008

- Continuation of the Presentations
- How to Implement the Rights of the EWC Agreement
Presentation, Anneliese Büggel, Lawyer
- Revision of the EWC Directive – latest Developments
- Presentation of Material and Information Sources for the EWC Work
- Conclusions from the Workshop for the Co-operation of EWCs, Coordinators and the EMF
- Termination and Evaluation
- Departure after Lunch

Actual Course Schedule: EWC Workshop 17 to 20 February 2008		
Sunday		
		<i>Arrival of the participants</i>
19.00	I.	Warming Up → Welcome diversity: Languages, countries, companies, trade unions, etc. → Common problem but no common Language: The puzzle on Europe → Participants presented typical snacks, drinks, music, etc. from their home regions
Monday		
09.00	II.	Welcome and Introduction into the Workshop: Presentation of the participants, the EWCs, and the companies → Company working groups and presentations
10.30		<i>coffee break</i>
11.00	III.	Exchange of experience on the focus and working structures of the EWCs → Input presentation (<i>Stefan Rüb</i>)
12.30		<i>lunch break</i>

14.30	IV.	Exchange of experience on the focus and working structures of the EWCs → Company working groups and presentations
16.00		<i>coffee break</i>
17.45	V.	Preparation of mixed working groups for Tuesday
Tuesday		
09:00	VI.	EWC Case Law and How to Implement the Rights of the EWC Agreement → Input presentation (<i>Anneliese Büggel</i>) - questions and discussion
10.10		<i>coffee break</i>
10.35	VII.	The EMF → Input presentation (<i>Luc Triangle</i>) and discussion
12.00		<i>lunch break</i>
14.00	VIII.	Five Mixed Working Groups on Selected Issues of EWC Activities: 1. The EWC and transnational company restructuring - The EMF approach (<i>L. Triangle</i>) 2. The implementation of EWC rights laid down in the EWC agreement (<i>A. Büggel</i>) 3. The improvement of communication in the four fields of EWC relations (internal, EWC & management, EWC & trade unions, EWC & employees/national level) and how to prepare multilingual meetings (<i>P. Wlecklik and M. Varga</i>) 4. EWC project work on certain topics - negotiations on the European level (<i>A. Hoffmann</i>) 5. Benchmarking of locations: To systematically collect and analyse social data in the EWC (<i>S. Rüb</i>)
16.00		<i>coffee break</i>
16.35	IX.	Presentation und plenary discussion of the working group results
Wednesday		
09.00	X.	Commitments on next Steps of EWC Activities → Company working groups
09.45	XI.	Case Study: The AREVA European Framework Agreement plus Discussion → Input presentation (Maureen Kearney) - questions and discussion
10.45	XII.	Final Evaluation of the Workshop → Round table
11.45		<i>lunch and departure</i>

4.2 Photos and Presentations

(The Roman numerals refer to the numerals in the Actual Course Schedule on p. 19)

I. Warming up



II. Presentation of the participants, the EWCs, and the companies (examples)

Areva

Areva

Produkte:
Products/Produits
Produkty/Productos
Nuclear fuel cycle / Nuclear Plants
Transmission and distribution of electricity

Beschäftigte (in Europa)
Employees (in Europe) Salariés (en Europe)
Zatrudnieni (w Europie) Empleados (en Europa) = 42 000


D: 6500	F: 30 000
B: 360	GR: 30
E: 260	H: 274
A: 165	PL: 313
UK: 1500	S: 272
CH: 201	TR: 1400

Existiert seit:
Exists since: / Existe depuis: 2004
Istnieje od: / Existe desde:

+ meetings / year
select committee: 7 members (10-12 meetings a year)
very good relationship

Mitgliederzahl je Land:
Number of members per country
Nombre de membres par pays
Liczba członków w każdym kraju
Número de miembros por país

F: 15
D: 5
UK: 3
B: 1
I: 1
E: 1
PL: 1
S: 1
A: 1
H: 1
TR: 1 observer
CH: 1 observer



* 1 to 2 training days / year
* adequate budget for select committee
* 3 working languages (F/UK/D) with possibility
* to follow language lessons
* negotiation of diversity agreement at european level
↳ EC grant for application and follow up of agreement
* select committee meetings in different plants with possibility to meet local representative and management.

Caterpillar

Caterpillar

CEE/ERZ/
EWC/EBR

Existiert seit: ~~1997~~
1996


Existis since: / Existe depuis:
Istnieje od: / Existe desde:

Produkte:
Products/Produits
Produkty/Productos

Bau maschinen
Diesel motoren
Logistik

Beschäftigte (in Europa) 23000
Employees (in Europe) Salariés (en Europe)
Zatrudnieni (w Europie) Empleados (en Europa)


Voordinator



Mitgliederzahl je Land:
Number of members per country
Nombre de membres par pays
Liczba członków w każdym kraju
Número de miembros por país

UK	8 + 2	974
B	6 + 2	5576
Fr	4 + 2	3237
G	4 + 2	1363
I	4 + 2	1200
NL	1 + 1	407
PL	1 + 1	400
H	1 + 1	391
Sp	1 + 1	194
<hr style="width: 50px; margin-left: 0;"/>		
	30	AUTRES 120

Vorsitzender



Exide

Exide

Produkte: ACUMULINDOOR - BATERIAS
 Products/Produits
 Produkty/Produktos

Beschäftigte (in Europa)
 Employees (in Europe) / Salariats (in Europe)
 Zatrudnieni (w Europie) / Empleados (en Europa)

Benito 10.300

Existiert seit:
 Existe sinca: / Existe depuis:
 Zastojuje od: / Existe desde:
 1996

Mitgliederzahl je Land:
 Number of members per country
 Nombre de membres par pays
 Liczba członków w każdym kraju
 Número de miembros por país

EUROPA 1996

Polonia → 140
 Francia → 1200
 España → 1580
 Alemania -

✓ SPAIN - 2
 ✓ FINLANDIA 1
 ✓ Francia 1-2
 ✓ Alemania 1-2
~~Grecia~~ → 1200
 x Holanda 1
 x Portugal 1-
 x Noruega 1-
 x Suecia 1
 x Reino Unido 1
 x Polonia 1
 x ITALIA 1
 x Belgica 1
 x Suamea 1
 x Irlanda 1

G
 UK
 NL
 I
 F
 A
 Spain
 FIN
 SWE
 B
 P
 GER
 P

Flowserve

Flowserve

Produkte: PUMPS/VALVES/SEALS
 Products/Produits
 Produkty/Productos

Beschäftigte (in Europa) 5,000
 Employees (in Europe) Salaries (en Europe)
 Zatrudnieni (w Europie) Empleados (en Europa)

Existiert seit: 2004
 Exists since: / Existe depuis:
 Istnieje od: / Existe desde:

Mitgliederzahl je Land:
 Number of members per country
 Nombre de membres par pays
 Liczba członków w każdym kraju
 Número de miembros por país

→ 440
 → 1200
 → 1580

G: 1400
 UK: 700
 NL: 700
 I: 600
 F: 500
 A: 300
 Spain: 250
 Fin: 150

Sweden: 130
 Belgium: 40
 Poland: 25
 Czech Rep: 60?
 Portugal: 65

G: 2
 UK: 1
 NL: 1
 I: 1
 F: 1
 A: 1
 Spain: 1
 FIN: 1
 Sweden: 1
 B: -
 P: 1
 Cz Rep: 1
 P: Spain

😊 Ramón

Mahle

Mahle

Produkte:
Products/Produits
Produkty/Productos

Beschäftigte (in Europa)
Employees (in Europe) Salariés (en Europe)
Zatrudnieni (w Europie) Empleados (en Europa)

Existiert seit:
Exists since: / Existe depuis:
Istnieje od: / Existe desde:

Mitgliederzahl je Land:
Number of members per country
Nombre de membres par pays
Liczba członków w każdym kraju
Número de miembros por país


Handwritten notes:
Motorenteile
Kolben, Filter, Ringe, Ventile
U-Flex
~ 20 000 Zylinder
10?

Handwritten text:
EBR/ERZ/
EWC/CEE

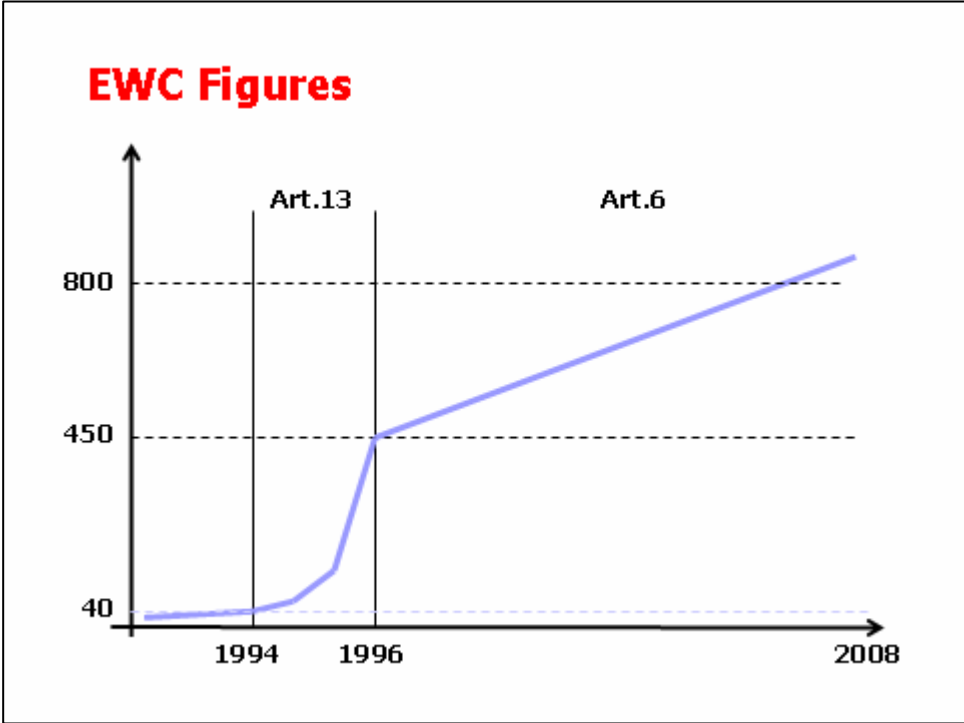
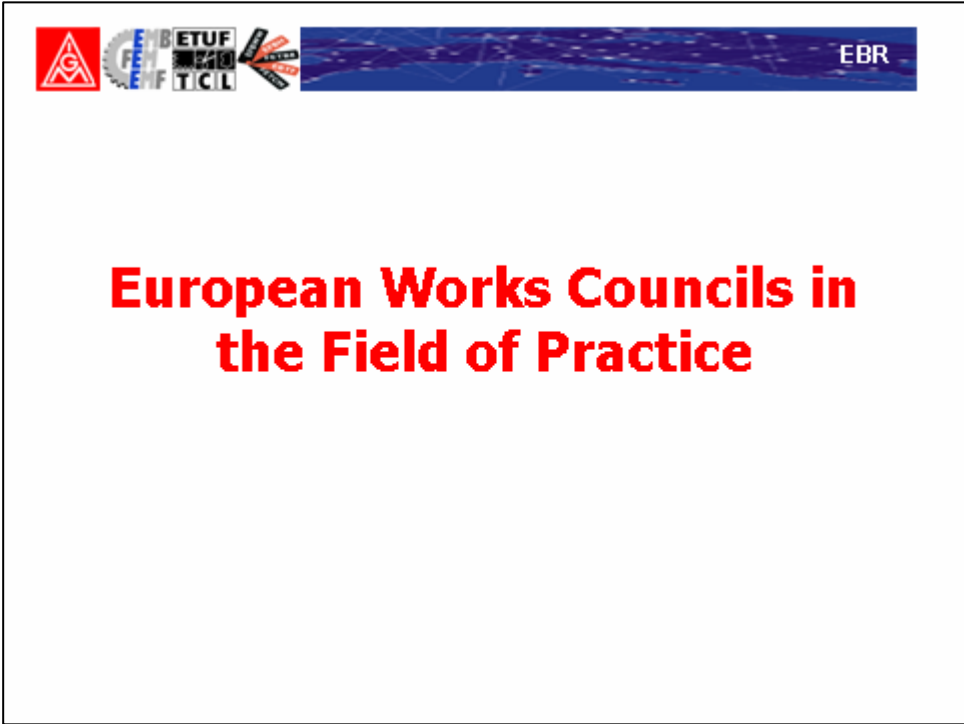
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1997 (1992)

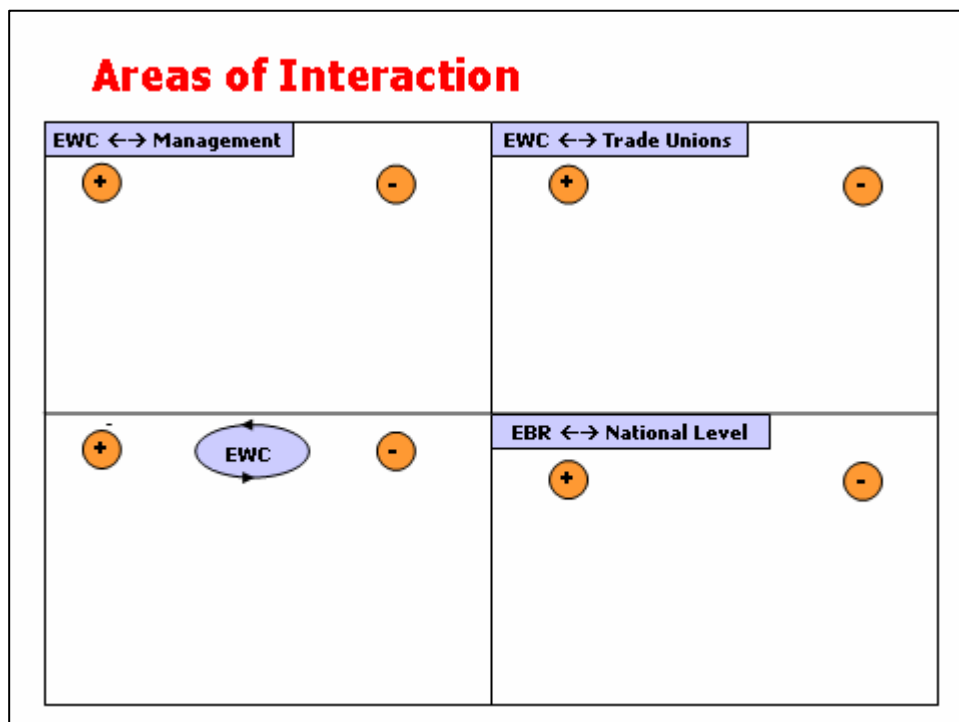
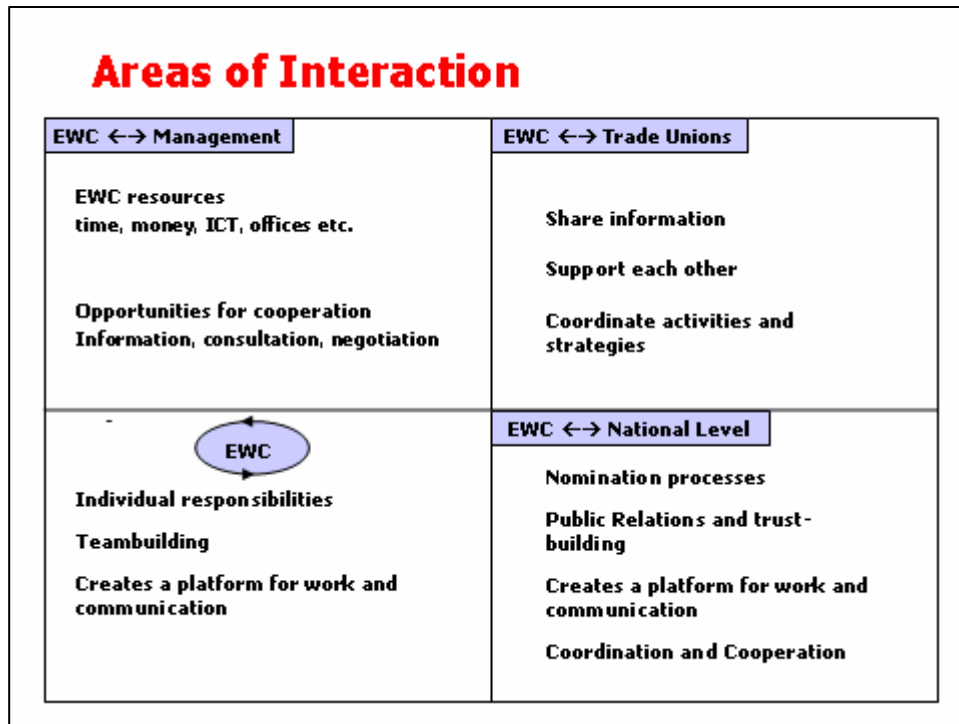
Table:

A	2	2150
F	2	1200
I	2	1100
PL	2	3000
ES	2	1000
UK	2	1500
D	8	9000
<hr/>		20



III. Exchange of experience on the focus and working structures of the EWCs





EWC Experience – Analyses of the Pros and Cons

Consider the four areas of interaction:

- 1 Based on your past experience with European Works Councils, where do you see their advantages and strengths
- and
- 2 what did not go so well, which problems or deficits have you identified?

IV. Exchange of experience on the focus and working structures of the EWCs





VI. EWC case law and how to implement the rights of the EWC agreement

THE EWC AND ITS RIGHTS

International EWC-Workshop
IG Metall
February 2008

Rechtsanwälte Annette Biggel
Tätigkeitsbereich Europäische
Betriebsräte

1

THE EWC AND ITS RIGHTS

- The EWC is entitled to on time information and consultation
- **On time means during the planning phase**
 - Having the opportunity to form an opinion, issue a statement and discuss management's plans with the directors before **decisions are made**

3 Examples

EWC Gaz de France

Two enterprises, Gaz de France and Suez, wanted to merge their businesses. Gaz de France's EWC was neither informed nor consulted with and went to court. The court ruled in favor of the EWC and ordered the company to refrain from making any decisions concerning the merger. The EWC granted permission to ask a consulting agency to support them in elaborating and issuing a position statement.

Example 2

Thomsen

The EWC decided to take legal action because its delegates had not been properly informed and consulted with concerning the planned closure of production facilities. They gave prior notice to management who reacted by halting all related activities and paying for an expert opinion commissioned by the EWC.

Example 3

Panasonic

The EWC and the Central Works Council admonished management for violating the EWC rights on information and consultation. The court rejected the EWC's appeal out of formal reasons, because the EWC could not prove that a formal decision had been taken to appoint an attorney.

Results

- EWC can be successful
- But it must adhere to formal rules and regulations:
- Decision-making processes are important
- The EWC may choose to admonish management on a case by case basis

Recommended procedure to enforce rights

- Assessment of interests: Analysis of the status quo – What information on the current situation does each EWC delegate have? Which risks does he/she see? According to each of the delegates, what should the EWC's objectives be?
- Listing options: What options do the delegates see from a labor law and corporate policy point of view.

Recommended procedure to enforce rights

- **Implementation:**
 - Choosing from the options
 - Taking a decision on the measures chosen and recording this decision in the minutes
 - Specifying the details, who will be in charge of doing what?
 - Getting an expert consultant involved, if this is the EWC's agreement stipulates this

Example

Management always “arranges“ the annual meeting with the EWC in such a manner that the EWC is given all available information, but does not have the opportunity to discuss and evaluate this information internally, or much less, elaborate a statement. In this case the EWC does not have to collect any additional facts. They can immediately decide whether they are willing to put up with this situation any longer or whether they want to bring around a change. Hopefully, they will choose to change things.

Same Example

The EWC can discuss its options:

either

demanding an immediate or short notice continuation of the EWC meeting in order to draft a opinion statement and to discuss this with management

or

agreement within the EWC to not accept such an arrangement at next year's meeting. Written statement to management threatening to take legal action if management fails to adhere.

Same Example

Assuming

- **the EWC decides to: demand an immediate or short notice continuation of the EWC meeting in order to draft an opinion statement and to discuss it with management, then:**
- **take a decision and set a deadline for management to confirm if and when the meeting is to be continued and announce that the EWC will take legal action if management fails to act upon this decision**
- **Issue the decision to management**

Same Example

Either

management responds and within a short period of time another meeting is scheduled as requested by the EWC

or

the EWC **must** take legal action

VII. The EMF

INFORMATION CONSULTATION PARTICIPATION OF WORKERS REPRESENTATIVES IN AN EUROPEAN PERSPECTIVE

Luc Triangle
CCMB (B) / EMF Company Policy Committee

1. The European Metalworkers' Federation

- One of the European Industry Federations (ETUC)
- 5.600.000 members, 60 organisations
- Reality of European Trade Union work : financial resources / different trade unions – backgrounds / IR and WC practices /...
- Four main fields :
 - Industrial Policy, and sub – sectoral activities (steel, aerospace, car, elevators, shipbuilding, ...)
 - Collective bargaining
 - Company Policy
 - Sectoral Dialogue

IGM, 19 February 2008

2

2. The road to transnational information and consultation rights : The EWC directive 1994

- Directive 94/45 approved on 22/09/94
- For transnational companies in the European Economic Area (EEA)
- Right for workers' representatives to be informed and consulted at transnational level
- 345 companies in metal industry have an agreement; 300 EWCs
- Total : 850 EWC agreements, 15000 rep's

IGM, 19 February 2008

3

3. The EMF approach for EWCs

One European approach and strong co-ordination

How :

- binding guidelines negotiation process (1996)
- Task Force (1995) : negotiators, trade union co-ordinators, guides for the existing EWCs. Since 2003 : EMF Company Policy Committee
- EMF EWC Coordinators (2000)

4. EWC KEY-ISSUES AND EXPERIENCES

- ! Information and consultation ! (no participation)
- ! Transnational !
- ! Role employee rep ! (European approach, preparation and report back)

4. EWC KEY-ISSUES AND EXPERIENCES

- Differences in social dialogue create different expectations and misunderstanding
- Act as one group
- Union members vs. non – union members
- What 's the managements' view ? Co-operative vs. Negative
- No co-determination or participation. What with negotiation (see GM, Milacron, Ford, ...)
- Exceptional circumstances : see Renault Vilvoorde
What is the role of the EWC in case of exceptional circumstances ?

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6

4. EWC KEY-ISSUES AND EXPERIENCES

- role select committee and facilities
- role of the expert and coordinator
- translation
- integration of CEE Countries
- control on agenda, minutes and process
- training
- communication

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7

5. EMF EWC Coordinators

Objective : EWCs should become real European information and consultation bodies, with trade union (EMF) influence, support and guidance

How : designating an EMF Co-ordinator for every existing EWC

5. EMF EWC Coordinators

Role :

- Must know what happens in his/her EWC
- First contact for other unions
- Support and guide for EWC members
- Safeguard the European approach of the EWC and the EMF policy towards existing EWCs, CB, IP
- Role EWC in exceptional circumstances / restructuring
- Link between EWC(members) and EMF

5. EMF EWC Coordinators

Role EMF :

- Assemble and support EMF coordinators
- Training
- Continuous flow of information on EMF decisions, opinions and activities

5. EMF EWC Coordinators

Benefit or value :

- One (EMF) approach towards existing EWCs
 - Extra input for EMF sectoral activities, collective bargaining and industrial policy
- ⇒ EMF Ambassadors in the 300 existing EWCs and for the 5000 to 6000 individual members

5. EMF EWC Coordinators

- Nomination of EWC Coordinators
- Objective : nomination of an EMF Coordinator for every EWC

To achieve all this : full support needed from every EMF member union

6. REVISION OF THE EWC DIRECTIVE

- Original timeframe
- Current state of art
- Some key issues :
 - . Quality and meaning of consultation
 - . Improved working facilities (training, etc...)
 - . Guaranteed role expert
 - . Role unions and European Federations
 - . Negotiation period SNB
 - . Sanctions

7. EU LEGISLATION

- **Information and consultation rights : EWC directive**
- **But also :**
 - Directive and Regulation on the European Company Statute
 - Framework Directive on Information and Consultation at national level
 - Directive on Transfer of Undertakings
 - Directive on Collective Redundancies
- **Improving working conditions at European level**
 - Directive on the posting of workers
 - Directive on working time
 - Regulations on protection of Health and Safety at work
 - Regulations on equal opportunities for men and woman
- **Regulation on the control of concentrations (right for workers to be heard)**

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8. Challenges for Information and Consultation

- 'Weak' Definition on Information and Consultation in the EWC directive 1994
- EWC : from 'mailbox' function to prior information and consultation

- > **new opinion of EU**
 - 'Renault-case' (1997) – Court decision (Versailles)
 - Employees as a 'stake holder' of a company (see EU green book on 'Corporate Social Responsibility')
 - Recent directives with new definitions

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8.Challenges for Information and Consultation : ...new definitions

8.1. European Company Statute (SE)

- 10/2004 : possibility for one legal company statute
- Directive on workers' involvement in the SE : new definition on 'Consultation'
- Consultation :
 - * 'establishment of dialogue and exchange of views... at a time, in a manner and with a content which allows employee rep's, on the information provided, to express an opinion on measures envisaged by the company, which may be taken into account in the decision-making process within the SE'
 - * also rights for written information, right for a second meeting with the view of seeking an agreement, ...

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8.Challenges for Information and Consultation : ... new definitions

8.2. Framework for informing and consulting employees in the European Community (Directive 2002/14)

- Object : setting up minimum requirements for the rights to information and consultation of employees in undertakings or establishments (= national and local level)

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8.Challenges for Information and Consultation : ... new definitions

8.2. Framework for informing and consulting employees in the European Community (Directive 2002/14)

Art. 4, 3

Information shall be given at such time, in such fashion and with such content as are appropriate to enable, in particular, employee representatives to conduct an adequate study and, where necessary, prepare for consultation

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8.Challenges for Information and Consultation : ... new definitions

8.2. Framework for informing and consulting employees in the European Community (Directive 2002/14)

CONSULTATION SHALL TAKE PLACE – art. 4,4

- Ensuring that timing, method and content are appropriate
- At the relevant level of management and representation
- On the basis of information supplied by employer and of the opinion which the employee reps' are entitled to formulate
- In such a way to meet employer and to obtain a response, and the reasons for that response, to any opinion they might formulate
- With the view to reach an agreement

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VIII. Working Groups on Selected Issues of EWC Activities (Examples)

VIII.1 The EMF principles of dealing with transnational restructuring



HOW TO DEAL WITH TRANSNATIONAL RESTRUCTURING

19 February 2008

Luc Triangle, CCMB (B) and EMF Company Policy Committee



The EMF Ten Principles On Transnational Restructuring



with support from the
European Commission

The EMF Ten Principles

On Transnational Restructuring



Develop an early warning system !

1

- ☞ Check rumours
- ☞ Confirm or invalidate news
- ☞ Disclose information to the actors concerned i.e. national officers, the EMF Secretariat, the EMF EWC coordinator and EWC members
- ☞ React rapidly
- ☞ Anticipate change
- ☞ Follow external sources (e.g. newspaper articles)

The EMF Ten Principles

On Transnational Restructuring



Ensure full compliance with information and consultation rights both at national and European level !

2

- ☞ Access to relevant information is essential
- ☞ Demand for necessary time to develop these alternatives proposals
- ☞ Disclose information to the actors concerned i.e. national officers, the EMF Secretariat, the EMF EWC coordinator and EWC members
- ☞ Ensure proper information and consultation both at national and European level before the final decision is taken
- ☞ Request an extraordinary meeting of the EWC when existent
- ☞ Agree with management on a timeframe for consultation

The EMF Ten Principles

On Transnational Restructuring



Set up a European trade union coordination group composed by the unions involved in the company, the EWC and the EMF co-ordinator !

3

- ④ Tie together all the potential actors: the trade union officials from the trade unions concerned, the EWC members, the EMF EWC coordinator, the EMF Secretariat, workers' representatives within the Executive or the Supervisory Boards.
- ④ Create a driving force behind the European strategy and the establishment of a European, co-ordinated response.
- ④ The EMF Coordinator will take care of the general interests of the workers all through the process.

The EMF Ten Principles

On Transnational Restructuring



Ensure full transparency of information !

4

- ④ Create a climate of trust and confidence among the colleagues in the different countries.
- ④ Report any attempt from management to strike a deal with one company or in one country to the colleagues concerned or to the co-ordination group.
- ④ Do not conclude negotiations before having informed and consulted with the colleagues concerned or the co-ordination group.

The EMF Ten Principles

On Transnational Restructuring



Draw up a common platform !

5

- ⇒ Signal to management and to the outside world the workers' intention to stand up together and develop co-ordinated actions.
- ⇒ Supplement basic demands by the development of a plausible and coherent alternative concept combining an industrial plan with socially acceptable measures.
- ⇒ Consider the possibility of bringing in external experts to assist on this matter.
- ⇒ Share the workload between the different stakeholders.

The EMF Ten Principles

On Transnational Restructuring



Envisage negotiated solutions acceptable for all !

6

- ⇒ Seek to negotiate a framework agreement by the union and the EWC with management at European level covering both industrial and social aspects, guaranteeing that restructuring is managed in a socially responsible manner and that the sustainability of the company and employment are guaranteed in the long run.
- ⇒ Explore all possibilities to mitigate the social consequences (reduction of working time, reallocation of work, early retirement, retraining, reclassification, etc.).
- ⇒ Define minimum standards for a social plan Europe-wide.
- ⇒ Do not conclude negotiation at national level or within one company before having informed and consulted with the colleagues concerned at European level.

The EMF Ten Principles

On Transnational Restructuring



Develop a communication strategy !

7

- ☞ Relay immediately first reactions, the political platform, conclusions and decisions by the press, the unions, the workers, the politicians, etc.
- ☞ Ensure that the campaign is 'worker-based' by keeping members and workers fully informed.
- ☞ Communicate to the outside world: Contact politicians, MEPs or anyone with influence.

The EMF Ten Principles

On Transnational Restructuring



Envisage cross-borders activities !

8

- ☞ Envisage cross-border actions in case management is not willing to agree to a fair and constructive approach.
- ☞ Think about worker-based and creative mobilization.
- ☞ Envisage a European day of action as one of many instruments.
- ☞ Develop activities in line with national practices and traditions.
- ☞ Apply the internal EMF procedure for such actions.

The EMF Ten Principles

On Transnational Restructuring



Explore any legal possibilities to ensure that workers are heard !

9

- ☛ In the event of a merger, consider your right to be heard in the merger control procedure which is carried out by the European Commission.
- ☛ Ask to be consulted by the Commission on the abuse of dominant position and raise the issue of the social consequences.

The EMF Ten Principles

On Transnational Restructuring

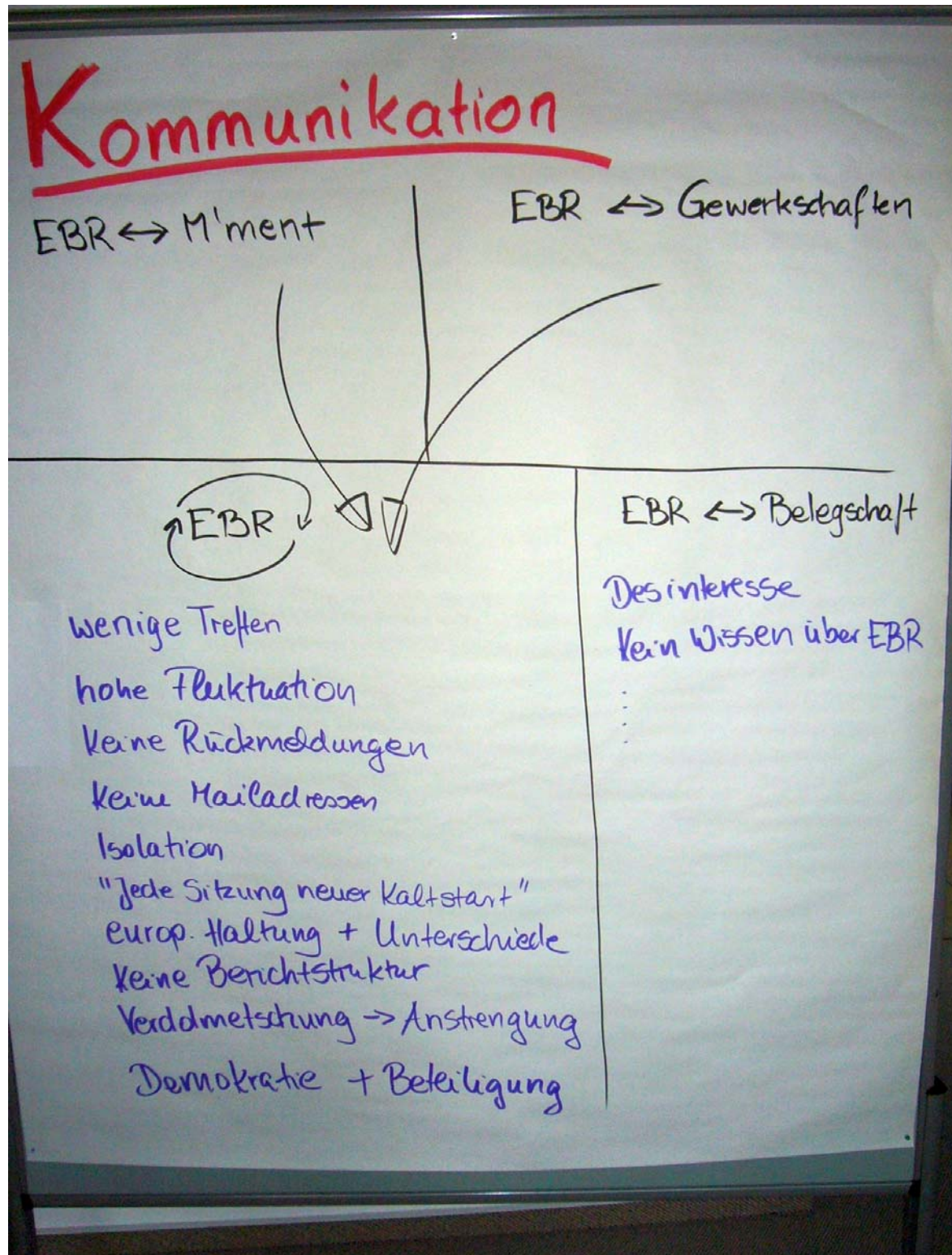


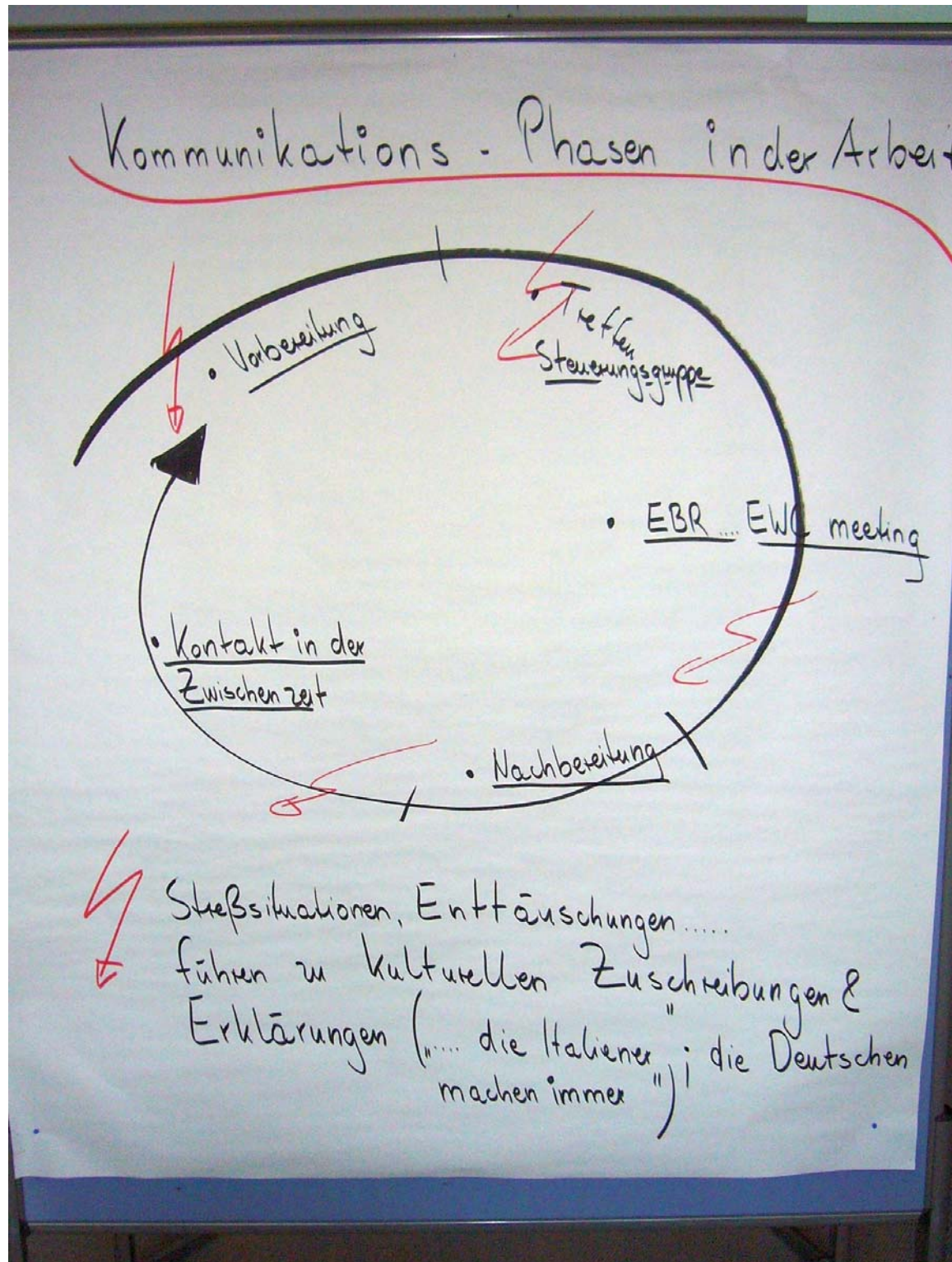
Binding Commitment !

10

- ☛ Ensure that any strategy agreed, any decision taken, at European level will be made binding for all the actors concerned and implemented at national level.

VIII. 3 Improvement of EWC communication and multilingual meetings





[] Nicht alle Schwierigkeiten haben ihre Wurzeln in der Kultur!
 [] Der Kontext bezug und die Person sind wichtig!

Prozessorientierung
 ↳ EBR-Arbeit

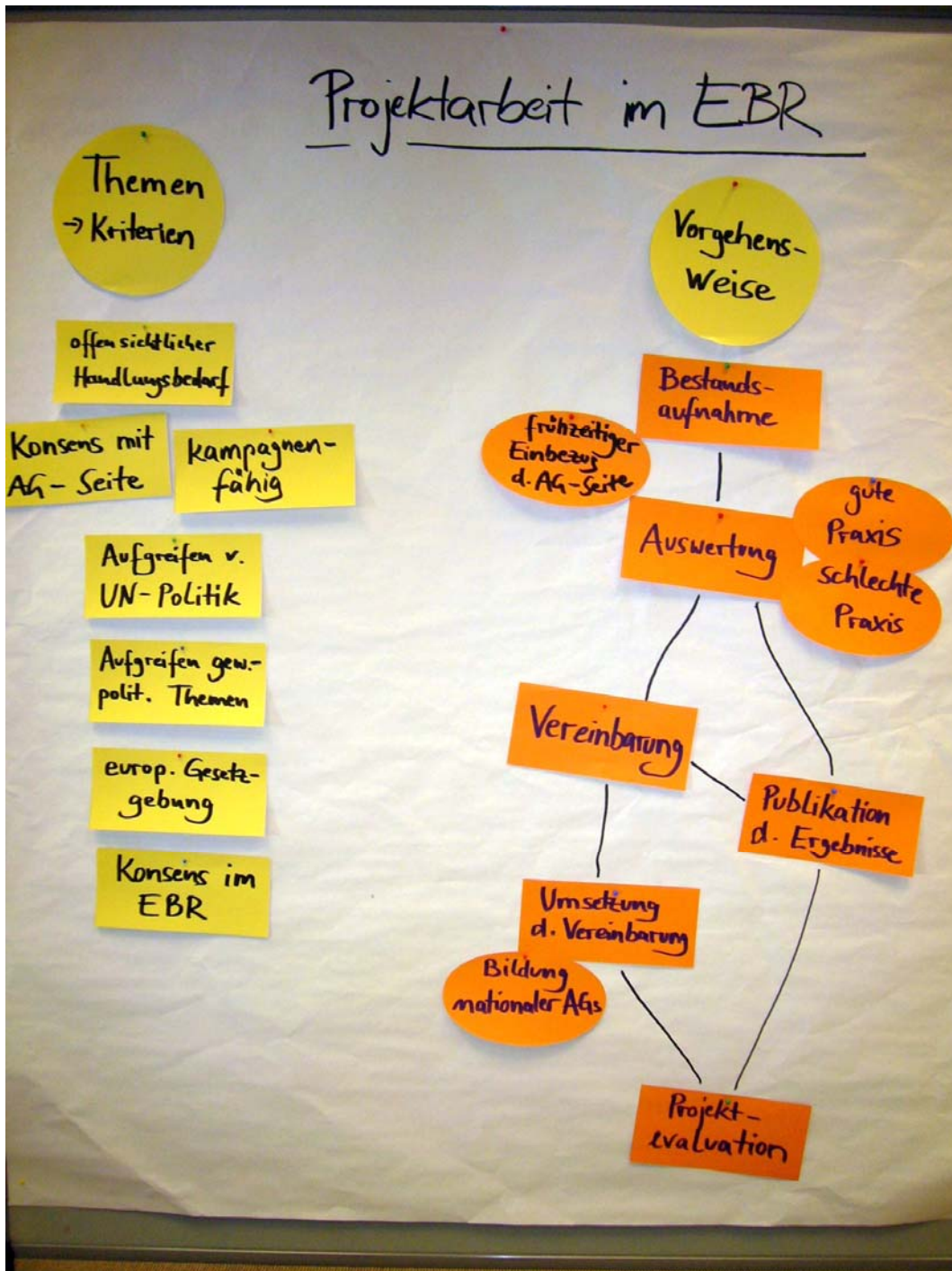
Beziehungsorientierung
 ↳ einzelne KollegInnen

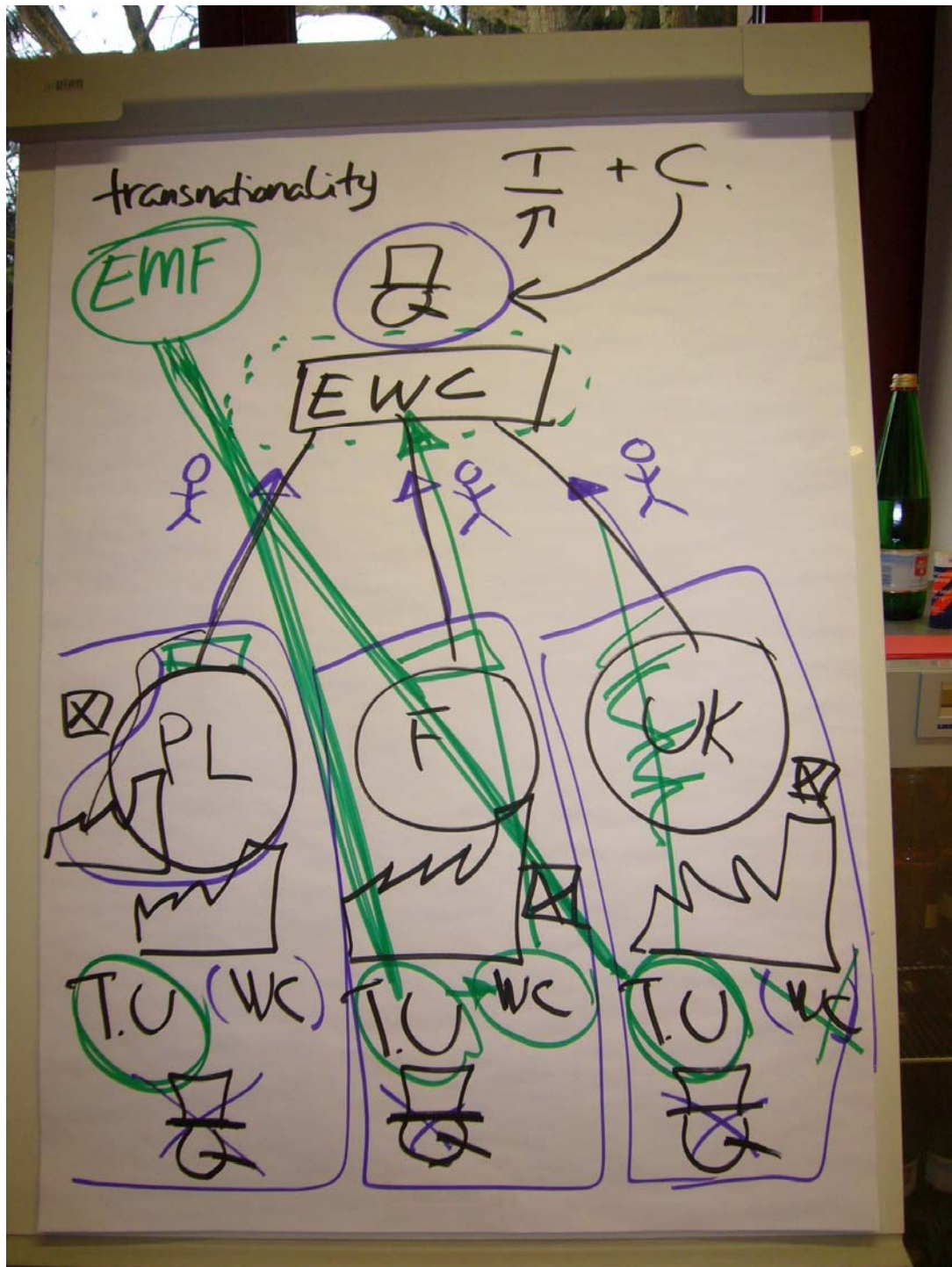
Vertrauen in Beziehung
 Vertrauen als Voraussetzung für eine gute Arbeit
 Prozessorientierung

- Effektive Aufgabenerfüllung
- Vertrauen als Folge ~~von~~ Effizienz
- Ergebnisorientierung



VIII.4 EWC project work and negotiations





XI. Case study: The AREVA Framework Agreement on Gender Equality

Summary of the case

The agreement was negotiated between the EMF, Areva management and the special negotiating body made up of the Select Committee mandated by their national unions.

A special mention for the constructive nature in which the debates were conducted. The working relationship between the 3 parties enabled us to progress well in a respectful and harmonious environment for the ultimate benefit of all employees impacted by the agreement.

What we did

Put into place a questionnaire on gender equality and disabled people which was submitted to all sites to establish the current situation within Areva companies throughout Europe. (June to December 2005)

The questionnaire treated issues such as training, recruitment, salaries, percentage of women and disabled people in the workplace etc.

A series of graphs was then created to compare and identify best practices and potential weaknesses in order to have a working basis to enable us to negotiate the agreement. (graphs presented to the EWC in March 2006).

Several sites in Europe were visited to observe first hand best practices in the integration of disabled persons, eg Melox, France and Monchengladbach Germany.

Negotiation of the agreement

4 meetings took place between the EMF, Areva management and the negotiating body (June to November 2006).

Objective

To obtain an ambitious, pragmatic and workable agreement applicable throughout the 13 countries of the EWC.

To advance equality in the workplace with respect to national regulations and laws.

Contents

The agreement is divided into 2 parts.

- Gender Equality
 - Recruitment
 - Career Development
 - Training
 - Equal Pay
 - Provisions for Parenthood
- Disabled Persons
 - Awareness and communication
 - Recruitment and access to employment
 - Integration
 - Training
 - Adaptation of workstations and accessibility
 - Partnerships and External relations

Key objectives for implementation of agreement

- Communication and awareness training
- Social dialogue and monitoring
- Local action plans

Where do we go now

Presentation by the EMF to its affiliate unions between now and end of November.

Presentation to the EWC delegates 16.11.06

Communication and awareness training of both HR managers and employee representatives.

Visit of specific sites by Select Committee members and Areva Human Resources staff to share the spirit and philosophy of the agreement

An annual review of both the national and local action plans to assess continuously progress and performance.

Setting up of monitoring committee within the coming year to oversee the active implementation of the agreement throughout European companies within Areva.

Conclusion

The EMF have indicated that this is one of the best agreements at European level that they have been involved in negotiating.

It is the responsibility of each and everyone of us to ensure that this agreement serves the people it is intended to represent.





The agreement was negotiated between the EMF, Areva management and the special negotiating body made up of the Select Committee mandated by their national unions.

The EWC accompanied this agreement from its conception. The delegates were informed of its progress all along the way. The partnership between the EMF whose guidance and advice were invaluable, Areva management, the EWC its Select Committee made this experience of working on this agreement rewarding and enriching.



It shows that with willingness and determination that an ambitious agreement on “Equality in the Workplace” at European level can be put into place for the benefit of employees in the thirteen countries of the Areva EWC.

A special mention for the constructive nature in which the debates were conducted. The working relationship between the 3 parties enabled us to progress well in a respectful and harmonious environment for the ultimate benefit of all employees impacted by the agreement.



What we did (1)

Put into place a questionnaire on gender equality and disabled people which was submitted to all sites to establish the current situation within Areva companies throughout Europe (June to December 2005).

The questionnaire treated issues such as training, recruitment, salaries, percentage of women and disabled people in the workplace etc.



What we did (2)

A series of graphs was then created to compare and identify best practices and potential weaknesses in order to have a working basis to enable us to negotiate the agreement (graphs presented to the EWC in March 2006).

Several sites in Europe were visited to observe first hand best practices in the integration of disabled persons, eg Melox, France and Monchengladbach Germany.



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To obtain an ambitious, pragmatic and workable agreement applicable throughout the 13 countries of the EWC.

To advance equality in the workplace with respect to national regulations and laws.



Contents (1)

The agreement is divided into 2 parts:

Gender Equality:

- ▶ Recruitment
- ▶ Career Development
- ▶ Training
- ▶ Equal Pay
- ▶ Provisions for Parenthood



Contents (2)

Disabled Persons:

- ▶ Awareness and communication
- ▶ Recruitment and access to employment
- ▶ Integration
- ▶ Training
- ▶ Adaptation of workstations and accessibility
- ▶ Partnerships and External relations



Key objectives for implementation of agreement

Communication and awareness training

Social dialogue and monitoring

Local action plans



Where do we go now (1)

**Presentation by the EMF to its affiliate unions
between now and end of November.**

Presentation to the EWC delegates 16.11.06



Where do we go now (2)

Communication and awareness training of both HR managers and employee representatives.

Visit of specific sites by Select Committee members and Areva Human Resources staff to share the spirit and philosophy of the agreement.



Where do we go now (3)

An annual review of both the national and local action plans to assess continuously progress and performance.

Setting up of monitoring committee within the coming year to oversee the active implementation of the agreement throughout European companies within Areva.



Conclusion

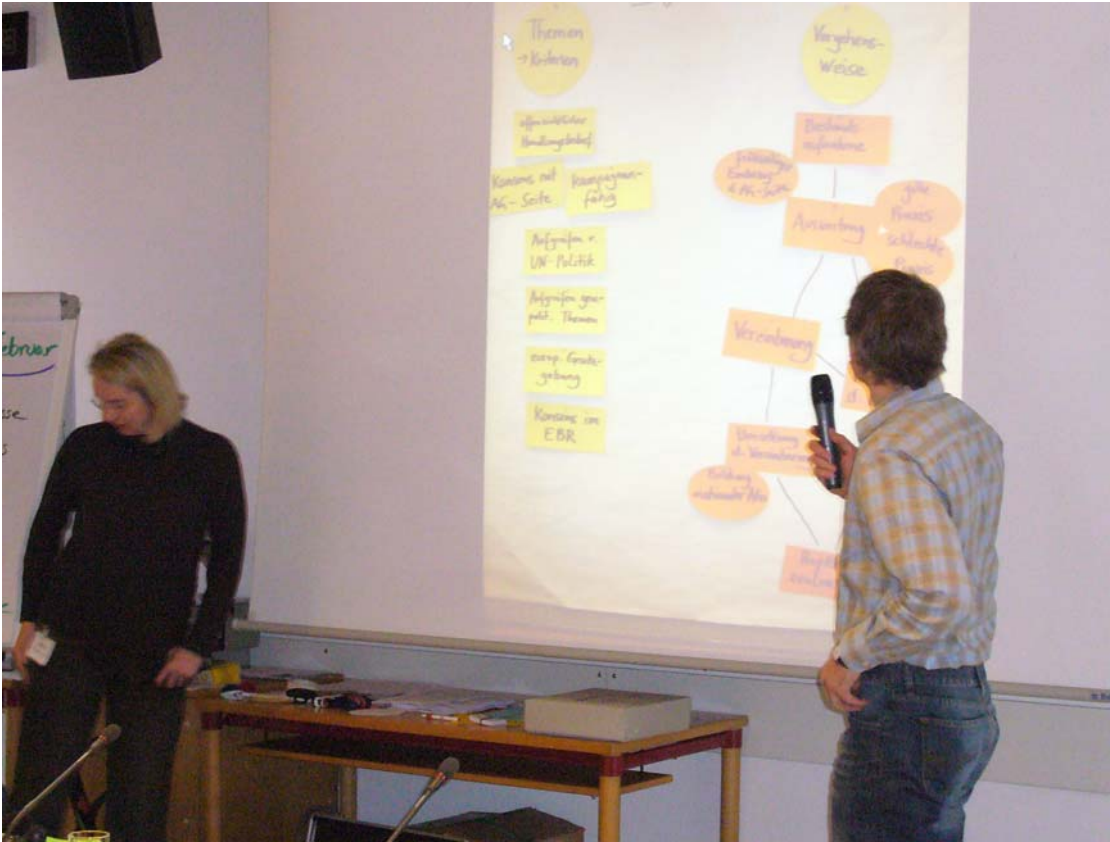
The EMF have indicated that this is one of the best agreements at European level that they have been involved in negotiating.

It is the responsibility of each and everyone of us to ensure that this agreement serves the people it is intended to represent.

Seminar impressions







5 List of Participants

Areva	Hoinkis	Falk	EBR	IGM	d	e	falk.hoinkis@areva-td.com	D 41065	Mönchengladbach
Areva	Kearney	Maureen	EBR / Koord	FGMM-CFDT	e	fr	maureen.kearney@areva.com	F 78180	Montigny le Bretonneux
Areva	Holmes	Mick	EBR	Unite	e		mick.holmes@areva-td.com; michael07uk@yahoo.co.uk	UK	Stafford ST 17 9GG
Areva	Blanchon	Bruno	EBR	CGT	fr	e, sp	brblanchon@wanadoo.fr	F 50644	Beaumont La Hague Cedex
Areva	Willekens	Josef	EBR	LBC-NVK	e	nl, fr, e, dt	jozet.willekens@areva.com	B 2480	Dessel
Areva	Aoevedo Jato	Jesús	EBR	MCA-UGT	sp		jesus.aoevedo@areva-td.com	E	
Caterpillar	Schilling	Monika	EBR	IGM	d	e	schilling_monika@cat.com	D	Kiel
Caterpillar	Lange	Torsten	EBR	IGM	d		lange_torsten@cat.com	D	Kiel
Caterpillar	Feike	Norbert	EBR	IGM	d		feike_norbert@cat.com	D	Rostock
Caterpillar	Lenoble	Roger	EBR	ACV-CSC	fr		Lenoble_Roger@cat.com	B	
Caterpillar	Wilmolte	Bernard	Koordinator/in	ACV-CSC	fr	fr, nl, e	bernard.wilmolte@acv-esc.be	E	
Exide	Diaz Cardiel	Angel	Koordinator/in	FMCCOO	sp		internacional@fm.ccoo.es	B	
Exide	Jagodzinski	Wojciech	EBR	OPZZ-Met	pl	e, d	JagodzinskiW@exide.pl	PL 61-016	Poznan
Exide	Sobolewska	Malgorzata	EBR	Solidarnosc	pl	e	langerS@exide.pl	PL 60-960	Poznan
Exide	Carrera Modrego	Benito	EBR	FMCCOO	sp		bcarrera@aragon.ccoo.es; josette@fm.ccoo.es	E 50720	Zaragoza
Exide	Navarro Romero	Casto	EBR	MCA-UGT	sp		castonavarro@gmail.com	E	
Exide	Nicaise	Jerome	EBR	FO	fr	e, sp	jeac01@wanadoo.fr	F 89005	Auxerre Cedex
Flowsolve	Koekembler	Mirja	EBR	IGM	d	e, nl, fr, it	mkoekembler@flowsolve.com	D	Hamburg
Flowsolve	Flowers	Steffie	EBR	no	e	nl	soei@flowsolve.com	NL 4878 AH	Eftten-Leur
Flowsolve	Rudnik	Stephen	EBR	no	e		siflowers@flowsolve.com	UK	
Flowsolve	Leszek	Leszek	EBR	pl	pl	e	lrudnik@flowsolve.com	PL	Gdansk
Flowsolve	Aragunde Catoira	Anna	EBR	pl	pl	e	anszylo@flowsolve.com	PL	Gdansk
Flowsolve	Tonks	Ramón	EBR	FMCCOO	sp		josette@fm.ccoo.es	E	
Mahle	Schmieler	Ian	Koordinator/in	Unite	sp		ian.Tonks@amicustheunion.org	UK	
Mahle	Maleszka	Hansjoerg	Koordinator/in	IGM	d		hansjoerg.schmierer@igmetall.de	D	Stuttgart
Mahle	Kubiak	Tadeusz	EBR	OPZZ-Met	pl		BenonMaleszka@pl.mahle.com	PL 63-700	Krotoszyn
Mahle	Wissel	Jürgen	EBR	Solidarnosc	pl		solidmet@sllesia.top.pl	PL 63-700	Krotoszyn
Mahle	Solier Cantero	Dieter	EBR	IGM	d	e	juergen.keith@mahle.com	D 71706	Markgröningen
Mann+Hummel	Mugler	Josef María	EBR	FMCCOO	d		betriebsratw8@mahle.com	D	Alzenau
Mann+Hummel	Grashel	Walter	EBR	IGM	d	sp, e	josette@fm.ccoo.es	E	Ludwigsburg
Mann+Hummel	Wagner	Robert	Koordinator/in	IGM	d		walter.mugler@mann-hummel.com	D	
Stryker	Büggel	Christa	EBR	IGM	d		robert.grashel@igmetall.de	D	Marklkofen
Stryker	Provost	Anneliese	Koordinator/in	IGM	d	e, fr	christine.bernauer@mann-hummel.com	D 84163	Marklkofen
Stryker	Hoffmann	Robert	EBR	FGMM-CFDT	fr	e	abuegge@hotmail.com	IRL	Dublin
Stryker	Rüb	Aline	Ref	IGM	d	e, fr	Provost.rob@infonie.fr; robert.provost@stryker.com	F	
Stryker	Stefan	Stefan	Ref	IGM	d	e	alme.hoffmann@igmetall.de	D	Frankfurt
Stryker	Wlekklik	Petra	Ref	IGM	d	e	s.rueb@t-online.de	D	Göttingen
Stryker	Triangle	Luc	Ref	CCMB	e	nl, d	Petra.Wlekklik@igmetall.de	D	Frankfurt
Stryker	Brandenburger	Marion	Unterstützung	IGM	d	e	l.triangle@elewiftcenter.be	B	Elewilt
Stryker	Varga	Manika	Ref	IGM	d	e, sp	marion.brandenburger@igmetall.de	D	Frankfurt
Stryker	Varga	Manika	Ref	IGM	d	e, sp	manika.varga@igmetall.de	D	Frankfurt

6 Project evaluation

Project evaluation of CRIMIC was carried out at the end of the project period in October and November 2008. In this context a questionnaire was elaborated by the project coordinators and sent to all the participants. 16 out of 35 questionnaires were filled in and returned. The 16 responses came from all of the participating EWCs.

The questionnaires were available in all languages and related to five different fields in the workshop. Regarding these fields the participants stated whether the contents and methods addressed in their workshop had any lasting effect on their EWC work (transfer evaluation). An initial survey was already conducted in 2008 (process evaluation) in the form of a “classic” oral closing round in the workshop.

The answers provided in this “oral round” were for the most part marked by a positive impression among the workshop participants and gratitude towards the organiser. The reason for this is that most of the participants have only rarely had the opportunity to take part in international training events. At an event which was successful on the whole both in terms of content and organisation, the participants usually head home with a positive impression and rarely voice criticism.

Experience from other seminars teaches, however, that this by no means indicates that that which is learned is also used in everyday work. For this reason, the project partners thought that it would be a good idea to remind the participants of the workshop seven months later and ask targeted questions about sustainability. One desired secondary effect for our part was for the participants to address the contents and methods of the workshop once again and seriously consider using these in their own EWC work.

The following tables are illustrating the results of the questionnaire survey which is completed by a qualitative assessment by all participating companies.

Quantitative assessment

(The answers could be crossed in. Some participants did not answer all the questions.)

Project goals / contents / methods (plenary group and working group phases)	The workshop contributed to me ...	☺☺	☺	☹	☹☹	☹☹☹
<u>Understanding the EMF structures, support for EWCs, role of the EWC coordinators</u>	learning more about the structures and work of the EMF	13	3			
	being better able to request support for the EWC work	4	9	2		
	being better informed about the role of EWC coordinators.	4	9	3		
<u>Further development of communicative and intercultural competence</u> 1. Evening	becoming acquainted with methods for the 1st encounter	8	8			
	already having planned or tried out methods	1	8	5		

Project goals / contents / methods (plenary group and working group phases)						
The workshop contributed to me ...		😊😊	😊	😐	😞	😞😞
Round of introductions	having become acquainted with methods for the 1st encounter	6	8	1		
	already having planned or tried out methods	4	5	5		
<u>Stock-taking, promoting a comparison of experience fields of communication, project work, ability to act</u>	being able to more systematically analyse one's EWC work with the 4-field matrix	5	8	2		
	better being able to understand the problems of colleagues in their "own" company	2	11	3		
	being able to use the experience of other EWCs for my own work	6	10			
	having contact with EWC members from other companies in my own country	2	5	6		1
<u>Strengthen the ability of EWCs to take action</u>						
	I became acquainted with the "10 principles" of the EMF for a European approach	9	4	1		
	being able to use these for an international EWC strategy	3	6	5		
European action strategies	already having used the "10 principles"	1	3	7	2	1
	having become acquainted with current case law handed down by the courts	4	10	1		
	being encouraged to use rights under the EWC Agreement more resolutely	3	9	3		
Case law on the satisfaction of information and consultation rights from the EWC Agreement	knowing what preconditions and steps are necessary in the EWC	3	7	4		
	learning from the example what processes in the EWC are useful in successfully addressing a topic	8	7			
<u>Example from the field of practice: Areva</u>						
	having learned that different statutory, company and trade union preconditions must be taken into account early on	7	7	1		
	feeling empowered and enabled to address a common topic in the EWC	3	8	3		
	having already proposed a common topic in the EWC	2	6	3	2	1
European Framework Agreement on Equal Rights – the process in the EWC						
	my becoming aware that the national trade unions or the EMF have to be included in negotiations at the level of European companies in good time	9	6	1		
EMF negotiating mandate	learning about EMF resolutions and positions	5	6	3		

Comments on the project and the transnational seminar

In addition to the answers which could be crossed in, it was also possible to make comments, which are quoted here:

1. Understanding the EMF

- Assure the quality of EWC coordination through the requirements profile!
- The linkage between EWCs and the EMF should be further developed

2. Communicative and inter-cultural competence

- Working methodology was a good experience
- Great! good ideas, an excellent start to the workshop
- There was no opportunity (*relates to the use of the methods in one's own EWC*)
- fantastic!

3. Stock-taking, promoting a comparison of experience

- Excellent presentations; socialisation of work;
- Not possible to repeat without good coordination
- Already existed (*relates to contact with EWC members from other enterprises*)

4. Strengthen the ability of EWCs to act

- Excellent attorney
- Information on top management through legal counsel that the international nature of information and consultation rights must be respected; good work, conduct assessment of work
- Very useful

5. Example from the field of practice: Areva

- Is helping me a lot with the EWC work; I informed the EWC members at Mahle
- Areva is in my opinion a classic example of an improvement in EWC work at Mahle; good experience which should be expanded
- I already knew about it (*relates to the negotiating role of the EMF*)

6. General reaction to the workshop

- I am still enthusiastic about it and would like to pick up the ideas and momentum of the workshop, even if the EWC only meets once a year
- Holding events like this in general has a very positive effect on European meetings at our company

- This form of workshop for EWC members is important as a result of the presentation of different EWC structures and projects as well as the ensuing comparison of experience

Qualitative assessment in the five fields

1. Understanding the EMF

The presentation on the EMF was held by an EMF representative who has played an active role in the EWC work of the EMF since the adoption of the EWC Directive. His presentation contributed to the participants learning about what guidelines the EMF has developed and adopted on EWC work. It was noted in this regard that the requirements profile of the EWC coordinators has not yet been sufficiently assured in qualitative terms. In addition, the participants learned what fields of topics the EMF is still addressing and what structures look like. The participants now know that in addition to their national trade unions they have an additional source of support in the guise of the EMF.

2. Further develop communicative and inter-cultural competence

To this end different methods were presented and tested during the introductory phase. The objective was supposed to be for the participants to take ideas and proposals for their own EWC work home with them. Thus, on the evening on which the delegates arrived, for instance, there was an initial meeting among the participants without interpreters. One method was for the participants to solve a puzzle (of Europe) in mixed language groups. This taught them that in spite of different languages, problems can be solved working together. Before the workshop the participants were requested to bring something typical of their home region to the workshop. This provided everyone the opportunity to present themselves to the entire group. The participants found this to be a positive experience and are considering using this or similar methods at the next EWC meeting in order to improve group dynamics in this manner.

(For more on this topic, see Wlecklik, Varga: „Gewerkschafter aller Länder vereinigt euch – aber wie?“ in: *Forum Bildung*, Infodienst und Diskussionsplattform zur Bildungsarbeit der IG Metall, July 2007, pp. 28–31.)

3. Stock-taking, promoting a comparison of experience

The four fields of communications involving the EWC were presented: the EWC and management, the EWC and trade unions, the EWC internal and the EWC and staff / national employee representatives. With the aid of this matrix a method was presented which the EWC can use to identify its strengths and weaknesses in a systematic manner. In this manner it can develop and implement improvements in a targeted fashion. In one working group it was examined how the EWC can analyse a topic with the aid of project work. These elements were aimed at boosting the effectiveness of EWC work. Project work and the systematic analysis of weak points are important preconditions for successful EWC work. The participants found this part to be useful, but clearly stated that good coordination is necessary in addition. The EWC coordinator has to play this role.

4. Strengthen the ability of EWCs to act

Two aspects stood at the forefront here: on the one hand the EMF strategy of an international approach to restructuring was presented by the EMF staff and discussed in a working group. On the other hand, an attorney made it clear what preconditions are necessary to be able to satisfy the rights under the EWC agreement by taking court action if necessary. Most of the participants were not aware of the EMF approach, so it has not been resolutely put into practice along these lines yet, either. The participants intensely addressed this, however, and attempted to set out these ideas in their “own” EWC. The comments of the attorney encouraged the EWCs to resolutely insist on the satisfaction of the rights emanating from the agreement, for example with respect to the point in time and scope of information and consultation by the central management. An EWC had a meeting with the management directly after the workshop. The management was forced to notify all the managers about their obligation to respect all participation rights in international affairs.

5. Example from the field of practice: Areva

The EWC members of Areva gave a presentation to the plenary group on how an agreement on equal rights can be achieved at the European level. Using this example, it was possible to once again address several fields: international project work, the ability of the EWC to act as an institution, functioning communications and working structures in the EWC, without which the project would not have been possible. It thus became clear to all the participants once again that it is possible to actively move forward with EWC topics in actual practice. That alone was an important experience for the participants.

In addition to this an additional topic was addressed in this connection: individual topics are dealt with in widely varying ways in the various countries – in company, regional or national collective agreements, company agreements, etc. When a topic is negotiated at the European level, a process involving the trade unions among themselves is also necessary in order for them to all agree on a common negotiating objective and – in this case – issue the EMF a mandate to negotiate. The EMF for its part has to negotiate in close consultation with the EWC, as this was after all the point of departure in the initiative. The topic of “international collective negotiations at the company level” and the difficulties in this respect were communicated to the participants. The level of knowledge and awareness was very low. Because more and more enterprises are also negotiating at the European level, however, and a legal framework has been lacking so far, it is important to sensitise actors to the topic. It is only in this manner that good practice can also provide the foundations for a legal framework, which the EU Commission is currently working on.

Annex:

**Project documents in other languages
(German, French, Spanish, Polish)**