



AMENDMENT 1

429th PLENARY SESSION
13-14 September 2006

DOSSIER:	SOC/220 European Works Councils: a new role in promoting European integration
RAPPORTEUR:	Mr Iozia

Ms Andersen
Mr De Vadder
Ms Drbalová
Ms Schweng
Mr Hahr
Mr Huntjens

Replace the entire opinion by the attached:

"1. The Directive on European Works Councils (EWC) has paved the way for a new basis of trans-national communication in undertakings. Undertakings accepted the challenges to integrate European Works Councils in their given structure and tackled the new concept. In the years since adoption of the European Works Councils Directive, a multitude of EWC agreements have been concluded in the undertakings. The concept of European works councils has only been able to take root in so many undertakings because the Directive provides for a framework which respects the existing culture within undertakings while at the same time setting core requirements for information and consultation. Against this background undertakings and workers have concluded a variety of agreements which address their individual requirements on a customised basis.

2. The aspect of EU enlargement is one important point when dealing with the role of EWCS. Inclusion of employees from the new Member States in the information and consultation process requires far-reaching adjustments, not least because of cultural differences. Stable conditions are needed, so that undertakings have the possibility to involve management and employees from the new Member States in their practices and at the same time pass on their experience. Further, some of the new Member States have only transposed the directive on European works councils into their national law two years ago. They also need time to adapt their national framework conditions. Undertakings and workers have already taken the right path in order to manage the challenging situation.

3. Against the background of the positive development of European Works Councils in practice and building on the work programme for the European social dialogue 2003-2005, which foresaw the organisation of a seminar on the enlargement of EWCs and after the first-stage consultation of the social partners by the Commission in April 2004, UNICE/UEAPME,

CEEP and ETUC decided to discuss the functioning of EWCs in the enlarged European Union on the basis of practical case studies. UNICE/UEAPME, CEEP and ETUC drew joint lessons learned on European Works Councils. These lessons refer to a variety of topics like "The good functioning of EWC is an evolving process", "Reconciling different cultures", "Mutual trust" etc. During these seminars it was made clear, that EWC and employers work together well. One should not interfere in a functioning system by revising the EWC-Directive. These seminars as well as the joint lessons drawn out of it have to be taken into account when the EESC is discussing the new role of European Works Councils.

4. The EESC is of the opinion that undertakings in particular have made considerable efforts in connection with trans-national information and consultation of employees. The European Commission in its first stage consultation of the social partners on EWC applauds this commitment. Management and employees are on the right way to further enhance at company level the good job they have already made.

5. Against this background the EESC is of the opinion that there is no need to revise the existing and well functioning Directive on European Works Councils. A revision of legislative provisions would interfere in complex and well functioning structures without need. The potential of European works councils cannot be increased by modifying the EWC directive and extending its scope. Rather, the parties involved at company level must be left free to address their individual requirements on a customised basis. Hereby they adapt European Works Councils to new developments and globalization. This is only possible in the existing flexible framework, not through further restrictive legislative provisions."