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Strengthening Community legislation in the field of information and consultation of workers

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

The European Parliament,

- having regard to Article 136 of the EC Treaty,
- having regard to Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community¹, Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies², Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees³ and Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses⁴, all of which concern the harmonisation of Member States' legislation on the instruments of dialogue between management and labour,
- having regard to its resolution of 4 September 2001⁵ on the Commission report on the application of Directive 94/45/EC,
- having regard to the Commission communication on Restructuring and employment - Anticipating and accompanying restructuring in order to develop employment: the role of the European Union' (COM(2005)0120),
- having regard to the opinion of the European Economic and Social Committee of 14 December 2005 (CESE 1495/2005)⁶,
- having regard to its resolution of 15 March 2006 on restructuring and employment⁷,
- having regard to its previous resolutions on industrial restructurings and mergers,
- having regard to the Commission statement to Parliament of 25 April 2007 on strengthening European legislation in the field of information and consultation of workers,
- having regard to Rule 103(4) of its Rules of Procedure,

¹ OJ L 80, 23.3.2002, p. 29.

² OJ L 225, 12.8.1998, p. 16.

³ OJ L 254, 30.9.1994, p. 64.

⁴ OJ L 82, 22.3.2001, p. 16.

⁵ OJ C 72 E, 21.3.2002, p. 68.

⁶ OJ C 65, 17.3.2006, p. 58.

⁷ OJ C 291 E, 30.11.2006, p. 297.

- A. whereas an increasing number of enterprises are acting on an international level as a result of globalisation,
- B. whereas the process of restructuring, mergers, relocations, etc., which affects all sectors of activity and brings about changes in the structure of companies, production and employment, has intensified,
- C. whereas various cases of restructuring and collective redundancy in different sectors have highlighted possible problems regarding Community legislation on workers' rights concerning information and consultation,
- D. whereas constructive and positive sharing of information and genuine consultation of employees is important for anticipating industrial change; whereas, furthermore, information and consultation are an important component of our European social model,
 1. Calls on the Commission, as already requested by Parliament on several occasions and most recently in its above-mentioned resolution of 15 March 2006, to take initiatives with a view to reviewing and updating Community legislation concerning information and consultation of workers, in order to ensure a coherent and efficient framework of law, guarantee legal certainty and improve the realisation of the social dialogue between the national and the European levels;
 2. Calls on the Commission to present Parliament with a timetable for the review and modernisation 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;
 3. Calls on the Commission to take prompt action to ensure that adequate implementation takes place in the Member States as regards information and consultation of workers and to notify those Member States where directives concerning information and consultation remain unimplemented;
 4. Notes in particular that Directive 94/45/EC either remains unimplemented or there are large and unjustified discrepancies between the ways in which Member States choose to implement it; calls on the Commission to report rapidly and in full to Parliament and to notify Member States where required;
 5. Reminds the Commission of the need for a coherent industrial policy at European level, with due account being taken of its social and environmental impact; considers that the social partners have a key role to play in developing such a policy;
 6. Calls on the Commission, therefore, to improve further the coordination of its policies in different fields, including social affairs, economic and monetary affairs, industry, and research and development, and to encourage the social partners to take an active part in developing a coherent set of policies aimed at maintaining a strong, innovative and competitive European industry;
 7. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, and the social partners at European level.