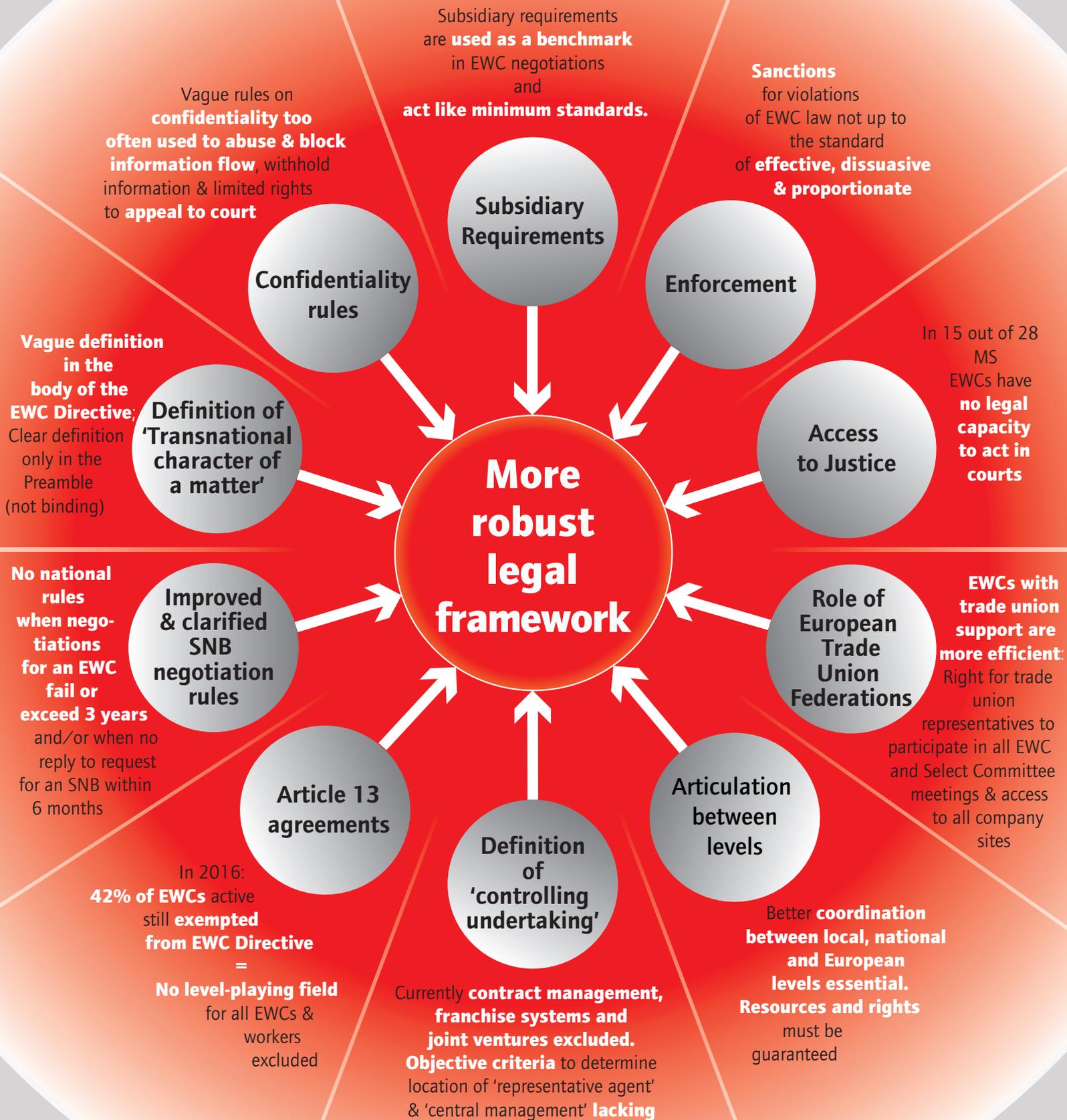


Changes to the EWC legal framework:

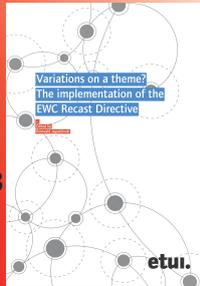
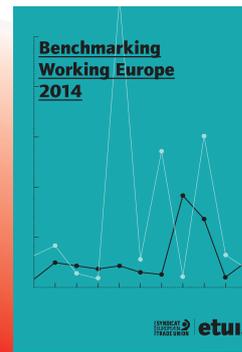
trade unions' assessment



Sources:

- 1) ETUC position paper - For a modern European Works Council (EWC) Directive in the Digital Era Adopted at the ETUC Executive Committee on 15-16 March 2017 in Malta
- 2) De Spiegelaere S. & Jagodzinski R. (2015) 'European Works Councils and SE works Councils in 2015. Facts and Figures, ETUI, Brussels.
- 3) Jagodzinski R. (ed.) (2015) 'Variations on a theme? Implementation of the EWC Recast Directive. ETUI, Brussels.
- 4) www.ewcdb.eu

Changes to the EWC legal framework: pressing evidence



EWC Recast Directive only **confirmed existing practice** and had **little/no impact**

Subsidiary requirements **used as a benchmark** in EWC negotiations and **act like minimum standards.**

Sanctions not effective, dissuasive & proportionate

Recast: no stimulating effect

Minimum standards matter

Ineffective implementation

In 15 MS EWCs have **no legal capacity to approach courts**

Expiry of SNB negotiation term - what after?

Problems with definitions: transnationality & confidentiality

EWCs with trade union support more efficient.

Few new EWCs each year Significant variation

42% of EWCs active still exempted from EWC Directive = No level-playing field for all EWCs & workers excluded

EWCs: very limited impact on restructuring

Problems with confidentiality

Recast Directive had limited impact on agreements & practice

&

very few EWCs involved in strategic decision-making

EWCs unable to influence decision-making

EWCs largely unable to play their role (timing ignored, meaningless consultation, no role in restructuring)

disregard for the role of trade unions

Better coordination between local, national and European levels essential; insufficient resources

More robust legal framework

- Sources:
- 1) ETUC (2016) 'European Works Councils. Assessment and Requirements. Report to the ETUC.
 - 2) De Spiegelaere S. & Jagodzinski R. (2015) 'European Works Councils and SE works Councils in 2015. Facts and Figures, ETUI, Brussels.
 - 3) Jagodzinski R. (ed.) (2015) 'Variations on a theme? Implementation of the EWC Recast Directive. ETUI, Brussels.
 - 4) De Spiegelaere (2016) 'Too little, too late?'. ETUI Report 138.
 - 5) Waddington et al. (2016) 'Managers, BusinessEurope and the development of European Works Councils', ETUI Working Paper 2016.06
 - 6) Pulignano V. and Turk J. (2016) 'European Works Councils on the move: management perspectives on a development of a transnational institution for social dialogue'. KU Leuven / CeSO
 - 7) European Commission (2015) 'Study to evaluate the effectiveness of the European Works Councils in the transport sector', a study by ICF

etui.