Statute for a European association: involvement of employees

1991/0387(COD) - 05/03/1992 - Legislative proposal

PURPOSE : to provide for the participation of employees in the EA in order to recognise their place and their role in the proposed organisation.

PROPOSED ACT : Council Directive complementing the statute of the European Association concerning the role of workers

CONTENT : The proposal deals with the role of workers in future European Associations, the establishment of which is the subject of a separate and simultaneous proposal (please see COD/1991 /0386).

Principle: the national provisions of the Statewhere the headquarters of the EA is located may be regarded as applicable with regard to the participation of workers in the bodies responsible for supervision and administration of European associations. Failing that, the Member State should make specific provisions to ensure at the least, consultation of and information to workers, in accordance with the model, the outlines of which are given in the proposal.

Minimum provisions: the minimum requirementsoutlined in the proposal concerning the information and consultation of workers are the following:

-the implementation of a procedure for adopting a system of information and consultation in EAs with at least 50 workers;

-where the EA is set up directly by natural persons, the system chosen must be submitted for approval by the constitutive general assembly;

-the administrative board of the EA must inform and consult the workers in good time and determine the areas on which at least the information and consultation must be provided, and especially on all proposals which may have serious consequences for the interests of workers or all questions concerning the conditions of employment.

The directive specifies certain fundamental principles concerning the modalities of election and exercise of mandates. Accordingly, the workers' representatives must be elected and represent the workers of all the various offices or factories of the EA, even if they are part-time employees.