

# **European Works Council or procedures for informing and consulting employees in Community-scale undertakings**

1994/0113(SYN) - 15/09/1994 - Text adopted by Parliament, 2nd reading

The European Parliament approved the Council's common position subject to 11 amendments to the proposed text. It extended the scope of the directive by including undertakings or groups of undertakings with more than 500 workers established in two or more Member States with more than 100 workers in at least two of these Member States. It decided that the members of the works council should be appointed or elected by the workers or the workers' representatives, taking account of the need to represent the various groups of workers employed in the undertaking (no such provision was made in the draft). The representatives of establishments or undertakings belonging to a group located outside the Community may be authorized to join the special negotiating group. As far as the application of the principle of autonomy of the special negotiating group is concerned, the deadline for reaching an agreement (before subsidiary requirements laid down in the legislation of the Member State in which the central management is located applies) has been reduced from three to one and a half years. Parliament also limited the facility to introduce specific provisions for the benefit of the central management of undertakings with an ideological objective regarding information and opinions where such provisions already existed in national legislation, as is the case with German legislation ("Tendenzschutz"). It strengthened the guarantees protecting the activities of workers' representatives within the framework of the council, with a ban on any discrimination and protection from redundancy or any other sanctions as the result of acting and intervening in their official capacity. The Commission is required to submit changes to the application of the directive to the Council and the European Parliament five years after it enters into force.