Safeguarding of employees' rights in the event of transfers of undertakings

1994/0203(CNS) - 16/01/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Hugh KERR (PSE, UK), Parliament amended the proposal for a Council Directive 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 businesses. Parliament called for this proposal to amend the 1977 Directive rather than replacing it with a new text as provided by the Commission in its proposal. It emphasized, in particular, the need for employees to be independent from their employer and for consultation with them before any transfer. It also required persons other than the transferor and the transferee to inform and consult the employees. It further proposed that Member States should provide for effective, proportionate and dissuasive sanctions in the case of breach of the national provisions adopted pursuant to this Directive and for the implementation of the Directive without discrimination based on sex, age, religion or nationality.