Worker information and consultation

1995/2300(COS) - 17/01/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Winfried MENRAD (PPE, D), Parliament regretted that the Commission had not consulted the social partners at European level before adopting this communication and noted also that this document contained no analysis of the existing participatory schemes in the Member States. It recommended firstly that the Commission submit, on the basis of the results of the group of high-level experts recruited from both sides of industry, framework conditions for worker participation. The group should clarify what role the European works council could play in an overall concept of codetermination and whether it could participate actively in negotiations on the codetermination model of the European company. It should also examine whether the statute on European companies could provide for negotiations between the management of a company and its worker representatives, with an obligation to reach agreement between the two sides. Parliament also considered that three main principles should guide the drawing up of a model of participation for European companies: flexibility, negotiated solutions and minimum standards. The Commission should be able to submit framework conditions for worker participation which took account of Parliament's wishes in this respect and which would permit sufficient flexibility to enable the procedures and rules on participation and codetermination to be defined at branch and possibly corporate level, with the possibility of being defined at company level. These rules and procedures must take account of the various models of worker information and consultation in each Member State and, if necessary, of the specific situation of small undertakings. Furthermore, defining rights of participation in the economic activities of companies could not involve transferring a specific model of codetermination existing in only one, or only a few, Member States to the other Member States. If a national model was not to be exported, neither must the adoption of a European statute result in companies being able to use a European legal instrument to avoid codetermination (no 'flight from codetermination'). It proposed as a minimum standard in the dualist system, a seat for workers on the supervisory board and in the monist system, an institution which would agree with the management of the firm on opportunities for participation in economic matters and on the obligation of employers to negotiate in respect of decisions concerning workers. Pointing out once again that the creation of European forms of company must be inseparably bound up with the rules on workers codetermination, Parliament lastly called on the Commission to draw up without delay a draft directive on minimum standards for the information and consultation of workers in their firms in the Member States and to pursue its measures aimed at evaluating and hence improving the implementation of the Council directives in this field with a view to making consultation with the social partners more binding.