Expert group's final report on the European systems of worker involvement, Davignon report

1997/2115(COS) - 19/11/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Winfried MENRAD (PPE, D) on European systems of worker involvement, the European Parliament welcomes the ideas put forward by the Davignon Group and the Luxembourg Presidency. However, it notes that some fundamental questions, particularly regarding the role of the European works council, have been left in abeyance. It again stresses the importance of adopting a European company statute containing rules on the right of workers and their unions to information, consultation and participation and feels that these rules should not be limited to European Companies, but should also apply to European cooperative societies, mutual societies and associations. Parliament reaffirms the principles laid down in the 1994 Directive on European works councils, namely flexibility, negotiated solutions and minimum standards in the event of a breakdown of negotiations, and calls for these principles to apply also to European Companies. It is convinced that only flexibility and negotiated solutions will make it possible to accommodate the specific structures of enterprises and traditions of worker participation in the Member States. However, the adoption of a European statute must not, under any circumstances, result in enterprises being able to avoid worker participation in a European Company's supervisory board or other decision-making bodies. So as to close off this escape route, Parliament firmly supports the idea of prohibiting the transformation of a national company into a European Company. The information and consultation obligations of employers and participation rights of workers should be imposed and accompanied by effective checks, as well as appropriate penalties in the event of failure to comply. Parliament fully supports the idea of creating a transnational body representing workers which is tailored to the specific needs of the European Company and which will take on the functions of a European works council even if the thresholds (size of undertaking, etc.) laid down in the EWC Directive are not reached. It also demands that all rights of trade unions established under national worker participation legislation and practices be maintained in respect of European Companies. Finally, it requests the Luxembourg Presidency to bring about political agreement in this field by the end of 1997, taking account of the opinions of Parliament, the European social partners and the Economic and Social Committee.