

1st Case study

Election of a Special Negotiation Body member

Preface

The local management of a multinational company asks the workers employed in the subsidiary of your country to go on appointing a representative for starting negotiations for the establishment of a EWC. .

Tasks

- a) What do the EC Directive 2009/38 and your national transposition law preview as far as the election of a member in the Special Negotiating Body (SNB) and the European Works Council are concerned?
- b) What actions has the local trade union to do?
- c) What actions will eventually undertake the local management of the multinational?
- d) Which are the respective articles of the Directive Οδηγίας 2009/38?

2nd Case study

EWC establishment in case of delays in the negotiations

Preface

A multinational company proceeds with the establishment of a European Works Council..

The Special Negotiating Body has been established and meets with the central management.

After three years there is no agreement for the establishment of the European Works Council between the Special Negotiating Body and the central management of the multinational company.

Tasks

- a) Has the European Works Council been established and with which powers?
- b) What actions has to undertake the trade union of the country of central management?
- c) What actions has the local trade union to do?
- d) Which are the respective articles of the Directive 2009/38?

3rd Case study

EWC establishment

Preface

A multinational company proceeds with the establishment of the European Works Council.

The Special Negotiating Body (SNB) has been established and meets with the central management.

The Special Negotiating Body, after discussing internally with its members decides not to proceed to the establishment of a EWC but, instead, to appoint a committee with three members. Each of these three members should come from each of the three countries presenting the biggest number of workers of the multinational in Europe. This committee should meet with the Human Resources Management of the multinational company whenever the second chooses to call it, at least once per year. Objective of these meetings is the exchange of opinions as far as the subjects concerning workers are concerned

Tasks

- a) Does the above decision agree with the Directive 2009/38?
- b) What are your observations?
- c) What should the workers representatives in the Special Negotiating Body do?
- d) Which are the respective articles of the Directive 2009/38?

4th Case study Massive layoffs without any previous information to EWC

Preface

A multinational company with subsidiaries in all EU countries, having a EWC, proceeds to massive layoffs in its subsidiaries.

The dismissals are being announced by the respective local managements without previous notice to the EWC.

Tasks

- a) Which is the position of the EWC and what action has it to take?
- b) Which is the position of the local/national trade union and what action has it to take?
- c) Which Directives and/or laws of your country does the multinational break?

5th Case study Massive layoffs - Confidentiality

Preface

A multinational company with subsidiaries in all EU countries, having a EWC, proceeds to massive layoffs in its subsidiaries.

The dismissals are being announcing first to the EWC and after three months the respective local managements are announcing them to the local trade union.

Tasks

- a) What is the position of the EWC and what action has it to take?
- b) What is the position of the local trade union and what action has it to take?
- c) Which Directives and/or laws of your country does the multinational break?