



FECCIA

European Federation of Managers in the Chemical and Allied Industries
Fédération Européenne des Cadres de la Chimie et des Industries Annexes

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15 April 2024

FECCIA response to the Commission's proposal for a revision of the European Works Council Directive 2009/38/EC

FECCIA, representing over 100,000 managers and executive personnel in the European Chemical and allied industries, has first-hand experience of the work inside EWCs under the current legislative provisions in Directive 2009/38/EC. The member organisations of FECCIA are national trade unions and social partners, and a considerable number of their membership are elected representatives in European Works Councils (EWCs) in a variety of European companies in the chemical sector.

FECCIA has always been a strong supporter of EWCs and the platform they provide for social partners to discuss relevant issues, and has seen the need for the current Directive to be improved and updated for the future. In FECCIA's view, a revision of the Directive as proposed in the legislative own-initiative report on revision of the European Works Councils Directive (2019/2183(INL)) which was adopted by the European Parliament on 2 February 2023 would help to increase the effectiveness and quality of the input EWCs can deliver, while enhancing and deepening the social partner relations of representatives from different jurisdictions even further.

Against this background FECCIA welcomes the legislative proposal of the European Commission for a Directive amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights of 24 January 2024 (COM(2024) 14 & Annex) and is glad to see that some of the key demands by FECCIA for such a revision have been considered by the Commission. These include:

- One set of rules is applied to undertakings and their workforce to overcome the existing exemption of certain undertakings from common minimum requirements. This is key and necessary to provide a level playing field and to help avoid unjustified differences in employees' – i.e., managers' and workers' – information and consultation rights.



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- The concept of ‘transnational matters’ on which information and consultation of the EWC should take place has been widened to also include employees expected to be affected by the consequences of an intended measure in one or several other countries.
- The process of employees’ request to establish an EWC is streamlined further, and some risks of unnecessary delays or lack of employee representatives’ resources during the negotiation process so as to ensure an efficient and effective setting-up of EWCs have been removed.
- Measures have been introduced to achieve a much more equal gender composition of EWCs.
- Challenges hampering the practical effectiveness of EWCs’ information and consultation rights have been reduced to ensure an effective process for the information and consultation of EWCs and appropriate resourcing for their operation.
- Sanctions and penalties have been introduced and right holders can more effectively assert their rights through administrative or judicial remedies in order to promote the more efficient enforcement of the Directive.

In FECCIA’s view, the Commission proposal provides a clear improvement on the provisions of the current Directive. We look forward to following the legislative process and to continuing the constructive engagement with the Commission, the (current and new) Members of the European Parliament, and the Council to ensure that EWCs and thus the dialogue between social partners will be strengthened further in the future.