



Finance



Strategy on multinationals,

EWCs and SEs

- summary -

UNI-Europa Finance Strategy on Multinationals, EWCs and SEs - Summary -

1 Introduction

A key aim of UNI-Europa Finance is increased employee involvement in the decision-making mechanisms of multinational companies. It is important that developments at the company level continue to be linked to the more general trade union goals for which UNI Finance is working. Workers' representatives within companies must not become disassociated from the rest of the trade union structures. Their work must be fundamentally linked to the objectives of UNI Finance and the affiliates that organise in a company.

Crucial to engaging multinational companies is the UNI-Europa Finance multinationals network. It provides a framework for cooperation and coordination among UNI Finance and its affiliates across multinational companies by deepening the exchange of information and promoting joint activities. It is built around the UNI-Europa Finance structures, its affiliates, trade union alliances and workers' representative structures (like national and European works councils).

The complete strategy as well as more detailed information and documentation on multinationals and in particular on EWCs and SEs is available through the UNI Finance website: www.unifinance.org. (The numbers in brackets refer to those in the full document.)

2 UNI-Europa Finance Multinationals Network

UNI-Europa Finance activities on multinational companies are organised in a decentralised way and are conducted in cooperation between

- Σ trade union alliances,
- Σ EWC/SE networks,
- Σ the Multinationals Task Force,
- Σ the UNI-Europa Finance Steering Group and Secretariat.

The objective of the multinationals network is to protect and further the interests of employees within multinational companies. In this respect, the network enhances cooperation among affiliates and employees' representatives, coordinates activities and continuously disseminates information to UNI Finance and all affiliates.

(1) For each multinational company, UNI Finance encourages the establishment of a trade union alliance bringing together representatives of affiliates that organise in the company under the umbrella of UNI Finance. This applies in particular to those companies that have already EWCs, are incorporated as SEs or will start negotiations on EWC/SE agreements.

(2) The role of the alliances is foremost to form a platform for cooperation among all affiliates organising in the company and for coordinating activities.

(5) UNI Finance recommends formalising a trade union alliance through an agreement between the affiliates involved and UNI.

(6) An alliance is normally coordinated by a facilitator, a full-time official of an affiliate.

(7) A trade union alliance is complemented by a network bringing together employees' representatives from affiliates on the respective employees' representation (EWC, SE-WC or similar body as well as members of the SE administrative/supervisory board) plus the UNI EWC/SE-WC representatives. The alliance and the network form an integrate structure.

(8) The role of the network includes in particular forming a platform for cooperation of those employees' representatives coming from affiliates and coordinating joint activities.

(9) The network is normally coordinated by a member of the select committee of the employees' representation (EWC/SE coordinator). This may also be one of the UNI EWC/SE-WC representatives.

(10) The EWC/SE coordinator and facilitator act as the spokespersons of UNI Finance in the multinational company and the respective employees' representation.

(12) The network and alliance should ensure structures that guarantee the highest possibility of participation and particularly the ongoing information of all EWC/SE-WC members and affiliates involved between EWC/SE-WC meetings.

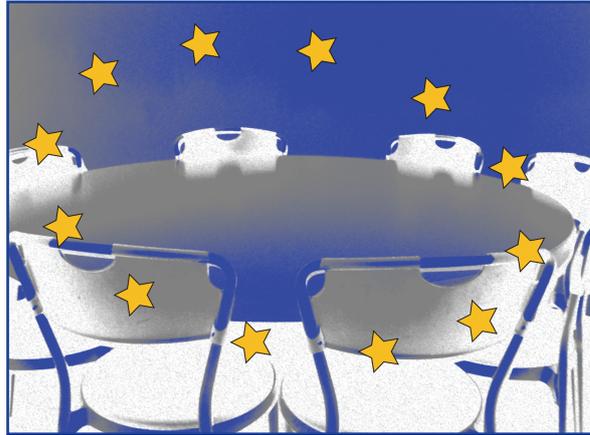
(14) The overall coordination within UNI-Europa Finance across multinational companies is organised through the multinationals task force and a coordination group with one representative per Area.

- (15) The task force generally includes one multinationals advisor per country - if necessary two: one covering banking and one the insurance sector. The role of multinationals advisors is foremost to oversee UNI Finance activities for those multinational companies whose central management is located in their country. They should be full-time trade union officials.
- (16) The advisors should coordinate and be supported by a network comprising all relevant trade union actors regarding multinationals from their respective country.
- (19) The UNI-Europa Finance Steering Group endorses EWC/SE agreements after consultation of all affiliates involved in a multinational company.

3 EWC/SE Advice and Guidelines

The purpose of the following guidelines is to give support for negotiations of EWC/SE agreements. Furthermore, the aim is to guarantee best practice in the daily work in SEs and EWC companies in line with the political objectives of UNI Finance. Key aspects are:

- (24) UNI-Europa Finance regards itself as the guardian of EWC/SE agreements that it has endorsed.
- (70) UNI should be one of the contracting parties of the EWC/SE agreement.
- (25) The union network for a company as outlined in Chapter 2 plays a key role for successful EWC/SE negotiations and union cooperation in an SE or a multinational company with an EWC.
- (26) No EWC/SE agreement must be concluded whose terms are below the minimum legal standards that apply if no agreement is reached (i.e. national legislation regarding subsidiary requirements/standard rules). These provisions are laid down in the relevant national law implementing the respective EU directives.
- (27) Considering the higher level of the standard rules for the SE, these provisions should also serve as the minimum benchmark for EWC agreements.
- (28) Management should not have the right of vote on the EWC/SE-WC, even if it is represented.
- (41) UNI and the EWC/SE-WC should have the right to supervise the election/appointment processes. This includes checking whether EWC/SE-WC members are in fact legitimate employee representatives.
- (49) An EWC/SE-WC agreement should provide for two representatives mandated by UNI. The representatives should have the right - enshrined in the agreement – to attend all EWC/SE-WC meetings and the same access to confidential information as EWC/SE-WC members.
- (46) Each regular EWC/SE-WC meeting should include a session of at least a day between the employee representatives and top management. Such a session should be immediately preceded and followed by half-day sessions of the employee representatives only.
- (55) UNI-Europa Finance is in favour of participation and therefore will strive that participation rights are exercised in an SE at the highest possible level of participation. This means at a minimum in line with the national system that offers the largest number of seats to employee representatives on the administrative/supervisory board. Not to include participation rights or lower them substantially is not supported by UNI-Europa Finance.
- (63) All revisions of EWC/SE agreements should be used to strengthen employee rights in line with these guidelines and best practice. They should not lead to a deterioration of acquired rights.
- (64) Agreements should stay in force under all circumstances until they are replaced by new ones with the consent of the EWC/SE-WC in question. This applies in particular when restructuring leads to the replacement of one or more EWCs/SE-WCs.
- (73) The contracting parties as well as the EWC/SE-WC should have the right to challenge breaches of the agreement by the company in court. Costs should be covered by the company.
- (76) UNI Finance together with the trade union alliance for the company should define a common approach for the negotiations and coordinate interventions. A meeting should be organised before the start of negotiations, in particular in the case of a SE to ensure a unified approach on employee participation.
- (84) Affiliates should provide training for members of the national and EWC/SE networks as well as the trade union alliances, especially the EWC/SE coordinator, UNI EWC/SE representatives, alliance facilitator, and multinational advisors.
- (87) UNI-Europa Finance calls upon affiliates to make special efforts to recruit and set up trade union structures in companies that have EWCs/SE-WCs or are in the process of establishing them. Only a strong membership base ultimately guarantees strong trade union influence.



EUROPEAN WORKS COUNCILS IN THE FINANCE SECTOR

Company	Country	Company	Country
AIB	Ireland	Helvetia	Germany/Switzerland
ABN-AMRO Holding	Netherlands	HSBC Holdings/Midland Bank	United Kingdom
Aegon	Netherlands	If	Sweden
Allianz	Germany	ING Group NV	Netherlands
American Express	Ireland	KBC	Belgium
Arag	Germany	Lloyds TSB	United Kingdom
Aviva	United Kingdom	Marfin Popular Bank	Cyprus
AXA	France	National Australia Group	United Kingdom
Bâloise Holding	Germany/Switzerland	Nordea	Denmark
Banco Espirito Santo	Portugal	Prudential	United Kingdom
Bank of Cyprus	Cyprus	Rabobank	Netherlands
Barclays	United Kingdom	Royal & Sun Alliance Insurance	United Kingdom
BBVA	Spain	Royal Bank of Scotland Group	United Kingdom
BNP Paribas	France	Santander	Spain
Citigroup	Ireland	SEB (Skandinaviska Enskilda Banken)	Sweden
Crédit Agricole	France	Skandia	Sweden
Crédit Suisse Group	Belgium/Switzerland	Société Générale	France
Danske Bank	Denmark	Svenska Handelbanken	Sweden
Deutsche Bank	Germany	Swiss Life	Germany/Switzerland
Dexia	Belgium	Tryg Vesta	Denmark
Ergo	Germany	Unicredito Italiano	Italy
Erste Bank	Austria	Zurich Financial Services	Belgium/Switzerland
Euronext	France		
Fortis	Netherlands		
Generali Group	Italy		