

Press release on Smurfit Kappa in Poland

UNI Europa Graphical and Packaging Steering Committee meeting enlarged to the working group on Collective Bargaining has taken place in Warsaw on 15-16 October 2015.

Print and packaging union leaders from all over Europe met to discuss among other things: Trade Union Alliances, sectoral collective bargaining strategies and international solidarity with Polish UNI Europa affiliate trade union ZPP, in their struggle for collective bargaining and respect for workers' rights in Smurfit Kappa Poland.

A few months ago, the Polish graphical union ZPP was formally recognised by Smurfit Kappa's Polish management.

ZPP recently requested the Smurfit Kappa management board in Poland to open negotiations with a view to concluding a collective agreement on wages, improvements to the bonus system and on necessary changes to the rules governing the management of the company's social benefits fund.

UNI Europa Graphical greatly deplores the fact that as yet Smurfit Kappa's management board has not responded positively to the request of its Polish affiliate, ZPP. Quite the opposite, the board has laid down certain preconditions for any meeting with the ZPP delegation.

These include:

1. The management board does not want to allow the company's union representatives to be assisted by outside experts in meetings with management.
2. Prior to any meeting with the union delegation of Smurfit Kappa in Poland, the management board wants the members of this delegation to sign a non-disclosure agreement preventing them from contacting union officials/experts and thus benefiting from their advice.
3. The management board refuses to provide the union delegation with information on how the company's social benefits fund has been managed up to now.

For UNI Europa Graphical, these conditions are unacceptable, discriminatory and derogatory to Polish Smurfit Kappa workers in comparison to their European colleagues.

In all other countries where Smurfit Kappa operates and where the unions are recognised by management, the company union delegates can be assisted by outside experts at meetings and in negotiations with management. The first condition imposed by the Polish management board is tantamount to isolating the company's union delegation from the national union ZPP. The Polish management board is clearly seeking to prevent all union activities within the company. This constitutes a discrimination of Polish workers vis-à-vis workers in other European countries. In the view of UNI Europa, the board's attitude clearly shows a will to intimidate the company's union delegation in Poland by isolating it.

In no other country in Europe are company union delegates required to sign non-disclosure agreements systematically preventing them from disclosing information provided by management and the content of any discussions between management and union. The board's demand with regard to non-disclosure is thus similarly discriminatory and illegitimate. Here again, the board clearly wants to isolate and intimidate Smurfit Kappa's Polish union delegation. In demanding such a non-disclosure requirement from the members of the union delegation, Smurfit Kappa's Polish management is impairing the union rights of Smurfit Kappa workers.

The board's refusal to give the union delegation insight into the running of the company's social benefits fund is very surprising. Here again, this is seen as an attempt by management to hinder all union work within the company. Moreover, in union view this decision is illegal, as the creation and management of company social benefits funds is governed by strict regulations in Poland. The Polish Labour Code clearly stipulates that the unions are empowered to actively participate in the running of company social benefits funds and the supervision thereof by participating in all decisions relating thereto.

UNI Europa Graphical deplors Smurfit Kappa's management lack of openness and the mistrust shown with regard to the Polish union ZPP. UNI Europa Graphical calls on the management board to urgently review its position and to allow the establishment of constructive social dialogue within Smurfit Kappa in Poland.

Insofar as the Smurfit Kappa management board continues to maintain its indefensible position, UNI Europa Graphical will be forced to consider launching a European-level union campaign in support of its Polish affiliate ZPP, the company's Polish union representation and all workers within this company.

Warsaw, 15 & 16 October 2015.

UNI Europa Graphical&Packaging represents 350,000 employees in the graphical sector via its 42 affiliated unions in 33 European countries.

Due to European integration and globalisation, unions are no longer effective when operating solely at national and local levels. To gain better employment conditions for their members, the unions representing workers in specific sectors need to work and act together at European and international levels.