



To: Mrs Beata Iciek-Sawicka

HR Director,

Smurfit Kappa Poland

We are aware that our UNI Europa affiliate trade union ZPP has 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.

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, 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 deplores 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.

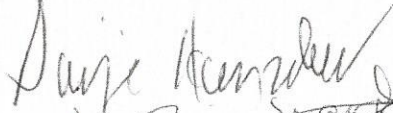
Insofar as the Smurfit Kappa management board continues to maintain its indefensible position, UNI Europa Graphical will be forced to consider launching a European-level union campaign in support of its Polish affiliate ZSP, the company's Polish union representation and all workers within this company.

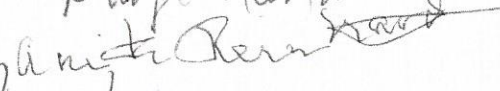
Warsaw, 15 & 16 October 2015.

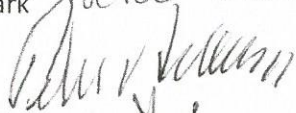
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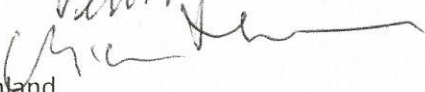
Patrick Vandenberghe, ACV/BIE trade union, Belgium 

Nicola Konstantinou, UNI Europa Graphical&Packaging 


Darije Hanzelek, Syndicat Graficara trade union, Croatia 

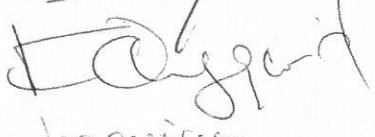
Anita Reinhardt, HK Privat trade union, Denmark 

Peter Andersen, 3F trade union, Denmark 

Mikko Honkanen, Prolitto trade union, Finland 

Pascal Lefevre, FILPAC CGT trade union, France 

Achim Schulze, Ver.di trade union, Germany 

Knut Oygard, Fellesforbundet trade union, Norway 

Joaquina Rodriguez, FSC CCOO trade union, Spain 

Andy Snoddy, UNI Graphical&Packaging, Switzerland

Simon Dubbins, UNITE trade union, UK 