



EUROPEAN COMMISSION - PRESS RELEASE

Labour law: Commission requests four countries to take on new rules for European Works Councils

Brussels, 24 November 2011 - The European Commission has requested Greece, Italy, Luxembourg and the Netherlands to transpose new legislation on European Works Councils (recast of [EU Directive on European Works Councils](#)) into their national law. The request takes the form of a 'reasoned opinion' under EU infringement procedures. If Greece, Italy, Luxembourg and the Netherlands do not bring their legislation into line with EU law within two months, the Commission may decide to refer these Member states to the EU's Court of Justice.

Member States had to bring the laws, regulations and administrative provisions necessary to comply with the new European Works Councils Directive into force by 5 June 2011 and notify the Commission. In the cases of Greece, Luxembourg and the Netherlands, the process of adopting national implementing measures is under way, but no precise indications have been given in terms of the completion of this process in the near future. In the case of Italy, no information has been received by the Commission on the implementation process.

In July 2011, the Commission sent letters of formal notice to the 17 Member States not having complied with these obligations. Of these infringement cases, eight cases have been closed (SK, CY, CZ, FI, HU, IE, LT, SI) and five cases are in the process of being closed or the Commission is waiting for some last elements for closure (FR, PL, RO, BE, UK) as these Member States have transposed the EU directive into national law.

Background:

The recast EU Directive [2009/38/EC](#) on European Works councils sets the new legal framework for the establishment and operation of European Works Councils. Through these bodies, which represent the European employees of a company, workers are informed and consulted at transnational level by management on the progress of the business and on any significant decision that could affect them.

The recast directive adapts this legislation to the new economic and social context, to face the significant increase in multinational businesses and large scale restructuring operations over recent years. With this directive, workers are to be more effectively and timely informed of, and consulted on transnational matters. It also provides for the training of workers' representatives in European Works Councils and a better link to national staff representation bodies. The directive also aims at favouring the creation of new European Works Councils and at ensuring legal certainty in their setting up and operation.

In these times of economic crisis, with a large impact on employment, effective social dialogue is essential. The European Works Councils need to be fully equipped to play their role of looking ahead, anticipating corporate restructuring and involving employees in the design of socially responsible solutions in European-scale companies.

Today, 990 European Works Councils represent over 15 million employees.

The right to establish European Works Councils was introduced by [Directive 94/45/EC](#) in 1994 for undertakings and groups of undertakings employing at least 1000 employees in the Member States with at least 150 employees in each of two Member States.

Further information

European Works councils:

<http://ec.europa.eu/social/main.jsp?catId=707&langId=en&intPageId=211>

Recast Directive 2009/38/EC on European Works Councils

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32009L0038:EN:NOT>

For more information on EU infringement procedures, see [MEMO/11/824](#)

http://ec.europa.eu/eu_law/infringements/infringements_en.htm

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