



**EWC Directive
Working Paper No 36¹
Review of the Directive
November 1998**

Review of "Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purpose of informing and consulting employees"

Initial position

Article 15 of the EWC Directive explains how the review of the EWC Directive is to proceed, who is to take the initiative, which parties are involved and when the review is to take place.

The review is to begin "not later than 22 September 1999". This will be done by the Commission "in consultation with the Member States and management and labour at European level". The social partners have a central role to play in setting up the European Works Councils. They should therefore participate on equal footing in all respective working parties, set up by the Commission.

The review concerns "the operation" of this Directive, that is all issues related to the establishment and operation" of European Works Councils. In particular, "whether the workforce size thresholds are appropriate".

The Commission will suggest to the Council "suitable amendments (...) where necessary".

Information and consultation

The purpose of this Directive is to improve workers' right to information and consultation. As the Community Charter on basic social rights already indicates, information and consultation should take place sufficiently in advance. The judgement of the Court of Appeal in Versailles in the Renault case of 7.5.1997 persistently stressed this point.

The Directive is intended to ensure that the workers' point of view is heard and considered and that it is incorporated into the decisions taken by the central

¹ This paper is, as already indicated by its title, a working and discussion paper. The definite political position of the ETUC will be adopted at a later stage.