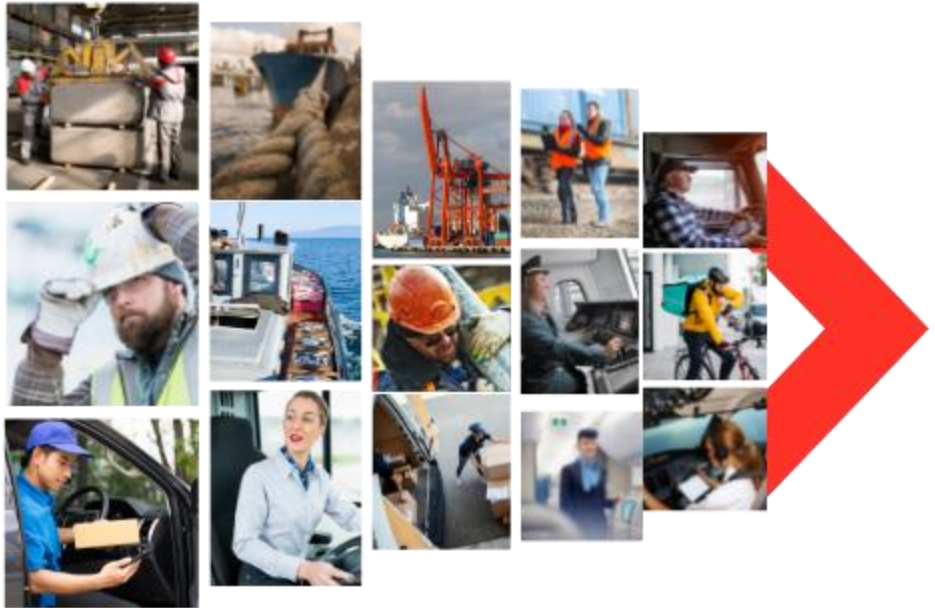




Self-training tool n°5 :
Experts and trade union coordinators

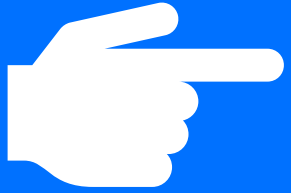


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Why are experts and trade union coordinators important for an EWC ?





You have a
right to
support :
use it or
lose it !

TRAINING

TECHNICAL
EXPERT

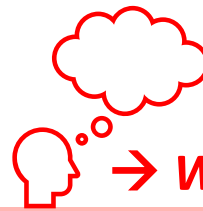
TRADE UNION
COORDINATOR

Key takeaways

- Central management are obliged to support your rights under the « means required » from the EU Directive
- EWC members are entitled to support under the terms of the EWC directive and local legislation. The terms of this support are typically set out in more detail in the EWC agreement
- Support means a trade union coordinator, access to technical experts and training. The aim of these supports should be to put you on an equal footing with management.



Tip: It is important that experts, trainers and others are the choice of the EWC itself.



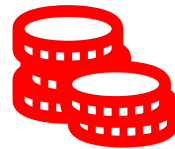
→ *Who is an expert ?*

Experts can be thought of to include a **trade union coordinator**, **technical experts** (such as financial experts) or **legal experts** where necessary.



→ *What is the legal basis to work with an expert ?*

The **Directive** states that the European Works Council or the select committee may be assisted by experts of its choice, in so far as this is necessary for it to carry out its tasks.



→ *Who pays for it ?*

The Directives explicitly said that **the expert is paid by the company**. Indeed it is written in the Directive that this “*may in particular limit funding to cover one expert only.*”

→ **Be smart** : *This has been transposed in some countries, but not others + your EWC agreement may gives your more flexibility*



TECHNICAL EXPERT



Financial expert

- ▶ Financial experts should be used for regular EWC meetings and during exceptional circumstances.
- ▶ **Financial experts can help EWC members in the lead up to annual meetings**, for example in preparing questions and in advising members about the type of information they need. They can also help with ensuring the EWC members can participate on an equal footing with management by ensuring they fully **understand the management information..**
- ▶ Financial experts can **play an important role in the production of EWC opinions.**



Legal expert

- ▶ Legal experts arise in cases concerning disputes.
- ▶ It is **important for an EWC to get access to justice if its rights are being violated.** In such circumstances, a legal expert should be named by the EWC. It is important for the trade union coordinator to be involved in any such process.



TRADE UNION COORDINATOR

During SNB

(before establishing an EWC)

- ▶ During the SNB process, the trade union coordinator has a very specific role. The directive states “For the purpose of the negotiations, the special negotiating body may request assistance from experts of its choice which can include representatives of competent recognised Community-level trade union organisations. Such experts and such trade union representatives may be present at negotiation meetings in an advisory capacity at the request of the special negotiating body.”
- ▶ This assistance is very important; it will ensure that the SNB is equipped with the knowledge of the EWC Directive, legislation and other EWC agreements which will put the SNB on an equal footing with management.
- ▶ It is important to remember that the Directive stipulates experts of its choice. This is an important principle for any SNB to remember.

Active EWC

- ▶ When an EWC is established, a trade union coordinator can help ensure that the EWC is well organized, equipped to deal with complex issues, and linked into to broader trade union frameworks.
- ▶ A trade union coordinator can help an EWC if a dispute arises. The coordinator will be able to advise the EWC about how to approach management and national law





A final word...

New Directives

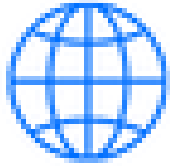
→ The expert resources that an EWC can access will change again under future reforms of the Directive. These reforms will hopefully further strengthen the trade union role at EWCs and access to justice.



Tip: It is important for SNB members and EWC members involved in renegotiating agreements that the contents of the Directive ought to be seen as the bare legal minimum. Agreements should not just comply with the Directive, but seek to go beyond it....



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