

Mr Vladimir Spidla  
Commissioner for Employment,  
Social Affairs and Equal Opportunities  
European Commission  
B-1049 Brussels

8 May 2008

**Re: Revision of the EWCs directive 94/45/EC**

Dear Commissioner,

In your letter of 6 May, you informed me that the European Commission continues to give priority to negotiations between the social partners with a view to identifying practical arrangements which make the functioning of European works councils (EWCs) more effective.

BUSINESSEUROPE interprets this message as being an invitation from the European Commission to ETUC to reconsider its position to reject negotiations on European works councils.

In this context, I would like to remind you of European employers' readiness to enter into negotiations with ETUC immediately. BUSINESSEUROPE is prepared to work towards an agreement on the revision of the EWCs directive on the following basis:

1. Acceptance by all parties that EWCs are essentially a mechanism for dialogue between an enterprise and its employee representatives. At company level, management and workers favour this dialogue and consider it very useful;
2. Recognition of the fact that employee information and consultation at the European level should be effective. This would require the introduction of a definition of information in the directive and adaptation of the existing definition of consultation;
3. A more precise formulation of how employee representatives should be informed and consulted in the context of transnational "exceptional circumstances;"
4. Acknowledgement that if EWCs are to work more effectively then employee representatives should receive appropriate training;
5. Incorporation of clauses in the directive that would require the structure of EWCs to be reviewed in the light of changes resulting from mergers, takeovers, acquisitions or divestures;

**BUSINESSEUROPE**

BUSINESSEUROPE invites ETUC to meet within two weeks to open negotiations in accordance with Article 138 of the EC Treaty. BUSINESSEUROPE, on behalf of employers' organisations, commits itself to work towards an early conclusion to such negotiations and, in any event, to present a progress report to the European institutions no later than 30 June.

This directive is the only one which is channelled and implemented through social dialogue at the company level. For BUSINESSEUROPE it is the very reason why it should remain in the remit of social dialogue and it is also the wish of all the companies concerned - more than 800 enterprises in Europe.

Yours sincerely,



Philippe de Buck  
Secretary General  
BUSINESSEUROPE