

A woman with short dark hair and glasses, wearing a blue dress, stands on the right side of the frame, holding a microphone and speaking. In the foreground, the backs of several audience members' heads are visible, showing they are listening. On the wall behind the speaker, there is a framed picture of a hillside town and a green exit sign with a white arrow pointing left.

# PROGRAMME OF SYNDEX EURO- PEAN TRAINING COURSES



TO HELP YOU  
SEE MORE CLEARLY !

SYNDEX ADVISES AND SUPPORTS EMPLOYEE REPRESENTATIVES

## GENUINE SOCIAL DIALOGUE CAN ONLY TAKE PLACE WITH ACCESS TO RELEVANT AND IN-DEPTH INFORMATION BY WORKERS AND THEIR REPRESENTATIVES

Employee representatives must have access to detailed information on issues such as their company's current and future financial situation, its business strategy, current and future use of labour, employment, wages and investments.

Because business decisions are taken at the European, or even global level, and are rarely made locally or nationally, access to the right information is ever more important.

Many EWC members operate in an information vacuum which severely restricts their capacity to properly undertake their legal duties and too often this is because they are ill equipped with the skills and knowledge necessary for their role. Consequently, social dialogue is often taking place between an employer which has access to all the necessary information and a European Works Council with very little.

However, a simple way to begin tackling this problem, and to rectify this inequity, is by providing EWC members with the necessary competences to enable them to access, and understand relevant information to strengthen their efforts and generate better outcomes from the discussions with their employer, on behalf of their European colleagues in the company.

The new Directive 2009/38, provides for this and states (Article 10) that *« in so far as this is necessary for the exercise of their representative duties in an international environment, the members of the special negotiating body and of the European Works Council shall be provided with training without loss of wages.»*

Our training programme is designed to meet these fundamental needs of EWC members and the introduction of an appropriate training programme, meeting the needs of individual EWC members, will achieve two essential objectives :

- ▶ narrow the current asymmetry of information between management and employee representatives ;
- ▶ provide equal access to strategic company information.

Meeting these two objectives will contribute significantly to creating genuine transnational social dialogue and will ensure the EWC operates effectively.

Our approach for delivering the training modules contained in this catalogue combines the following and important strands :

- ▶ individual and collective learning as participants engage and interact ;
- ▶ theoretical and practical training, provided by our tutors and is drawn from their knowledge and experience gained in their work as EWC experts ;
- ▶ practical examples, through actual case studies ;
- ▶ an analyses of the strengths and weaknesses of each EWC's operating conditions, the challenges commonly faced by EWC members, the specific indicators used and the successful, and unsuccessful, practices.

Our work in this area sets the benchmark across Europe and, aside from our many years' experience of designing and delivering, and adapting training for the particular requirements of an EWC, Syndex has undertaken many European projects over the past fifteen years, in partnership with national and European trade union organisations. Such experience has provided the foundation for this rich and comprehensive training catalogue.

# 16 MODULES OF TRAINING IN THE CHOICE

## I - INITIAL TRAINING FOR NEW EWC MEMBERS

- 1) European legal framework on the information and consultation of workers and their representatives and a comparative assessment of their own EWC agreement and the new European legislation (1 day) p. 6
- 2) National legal framework arising from the transposition of European directives (1/2 day) p.7
- 3) A good EWC agreement is the key to a good start (1 day) p.8
- 4) Understanding information and consultation in exceptional circumstances (restructuring, merger-acquisition, etc.) (1 day or 1 day 1/2) p.9
- 5) Connecting national and European levels of worker representation (1/2 day) p.10

## II - ADVANCED COURSES TO IMPROVE THE EFFECTIVENESS OF YOUR EWC

- 6) Information and consultation : economic and financial analysis (1 day) p.12
- 7) Information and consultation : social analysis (1/2 day) p.13
- 8) Communication and negotiation techniques (1 day) p.14
- 9) European social dialogue : specifically for employees of a European Company (SE) (1 day) p.15
- 10) Potential for EWC action over issues related to occupational health and safety (1/2 day) p.16
- 11) The role of EWCs in maintaining collective skills and expertise within companies (1 day) p.17

## III - AD HOC COURSES ON SPECIFIC TOPICS

- 12) What is the point of Corporate Social Responsibility (CSR) ? (1 day) p.19
- 13) What is the point of having a Transnational Framework Agreement (TFA) ? (1 day) p.20
- 14) From wages to living standards: Addressing the issue of remuneration through EWCs ? (1/2 day) p.21
- 15) Equipping EWCs to understand a company's strategic, economic and social challenges and planning ahead : introducing the technical expert (1 day) p.22
- 16) Essential steps to improve internal EWC coordination: improving understanding of transnationality (1 day) p.24

## **FIRST PART**

# **INITIAL TRAINING FOR NEW EWC MEMBERS**

- 1) The European legal framework for the information and consultation of workers and their representatives and assessing EWC agreements in relation to this
- 2) National transposition of European Directives on information and consultation
- 3) A good EWC agreement is the key to a good start
- 4) The information and consultation process in exceptional circumstances (restructuring, mergers and acquisitions, etc.)
- 5) Connecting and coordinating the different levels of worker representation

# THE EUROPEAN LEGAL FRAMEWORK FOR THE INFORMATION AND CONSULTATION OF WORKERS AND THEIR REPRESENTATIVES AND ASSESSING EWC AGREEMENTS IN RELATION TO THIS



## OBJECTIVE

*To improve the knowledge of participants of workers' rights in companies in Europe.*

*Analyse possible trends in the practical operation of EWCs, given the legal framework and good practice elsewhere.*



## DURATION

*1 day*

## CONTENT AND METHODOLOGY

### EUROPEAN LEGAL FRAMEWORK FOR THE INFORMATION AND CONSULTATION OF WORKERS AND THEIR REPRESENTATIVES

Roundtable discussion to assess the knowledge of participants on the European legal framework for the information and consultation of workers and their representatives.

Trainer presentation on the history of the right of workers and their representatives to be informed and consulted, its adaptation in specific cases, new legal forms of a corporate organisations and their impact on representativeness and the concept of transnational social dialogue.

### INFORMATION AND CONSULTATION OF WORKERS AND THEIR REPRESENTATIVES THROUGH EUROPEAN WORKS COUNCILS

Participants are provided with a copy of Directive 2009/38 and a EWC agreement : Group work to highlight differences between the Directive, the agreement and actual practice.

Presentation by the trainer of Directive 94/45, including the journey of the recast, the birth of Directive 2009/38, the changes it introduced and their consequences, positive and negative experiences, comparison with the Directive, the EWC agreement itself and existing best practice.

# NATIONAL TRANSPOSITION OF EUROPEAN DIRECTIVES ON INFORMATION AND CONSULTATION

## CONTENT AND METHODOLOGY

This module is delivered using a practical approach :

- ▶ participants will present the key parts of their national legislation on information and consultation, including the procedure to use this legal right, the existing national procedures and competent organs, timeframes, strengths and weaknesses of the law, the effective application of national law, suggestions for improvements etc.
- ▶ participants will share their knowledge of the relevant legislation in other member states and, more specifically, in those countries represented in the EWC.

A presentation will be made by the tutor on the different national systems of worker representation across Europe, using practical cases and, more specifically, will focus on the law in the countries represented in the EWC.



### OBJECTIVE

*To enable participants to understand the extent to which the employment legislation and infrastructure can influence the behaviour and attitude of EWC members and the extent to which it might enable, or restrict, either collective action, at the European level, or practical responses from EWC members in individual member states.*

*As a result of the new Directive (2009/38) there is now greater emphasis on connecting the European and national systems of information and consultation and this module will provide participants with an appreciation of the dynamics and challenges of this part of the new legislation.*



### DURATION

1/2 day

# A GOOD EWC AGREEMENT IS THE KEY TO A GOOD START



## OBJECTIVE

*This module will enhance the effectiveness of the EWC through the observation of good practice within existing agreements and will provide learners with a reminder of the legal basis for the creation of EWCs.*



## DURATION

1 day

## CONTENT AND METHODOLOGY

Individual work :

- ▶ participants will be provided with, and will be required to read various agreements to create European Works Councils and asked to highlight both the positive aspects of the agreement and good practice, and the negative aspects and shortcomings of the agreement.

Group work (no more than 4 to 5 people per group) :

- ▶ each group will be asked to produce a sample agreement to establish an EWC, based on the provisions in those distributed previously and their own personal experience ;
- ▶ presentation by each group on the group's agreement, outlining individuals sections ;
- ▶ at the same time, the tutor will present a number of examples of positive and negative provisions within the agreements and the resulting practical consequences.

The tutor will remind participants of the European legislation (2009 recast Directive).



# THE INFORMATION AND CONSULTATION PROCESS IN EXCEPTIONAL CIRCUMSTANCES (RESTRUCTURING, MERGERS AND ACQUISITIONS, ETC.)

## CONTENT AND METHODOLOGY

This module is delivered through individual and collective group work, based on practical case studies to provide learners with an insight into the different scenarios they may face as EWC members.

This module consists of six sections, covering :

- ▶ an assessment of the circumstances, made possible by the collection of information by EWC members prior to the start of the consultation process ;
- ▶ the remedies available for missing information - obtaining it from management or by using an external technical expert ;
- ▶ the decision to begin consultation and its practical implementation in compliance with the recast Directive ;
- ▶ the process to develop an Opinion by the EWC, which may contain alternative proposals to those originally proposed by the company ;
- ▶ The role of the EWC following the decision by management to introduce its proposals : an assessment of its effectiveness ; anticipation of crises a) coordination through the distribution of tasks between EWC members, and b) objectives of the group of EWC members (the creation of annual objectives, annual work programme).



### OBJECTIVE

*The aim of this module is to improve the knowledge of participants of the information and consultation processes and the coordination between EWC members.*

*In addition it will provide the learner with suggestions on how to improve the activities of the EWC.*



### DURATION

*1 day  
or 1 day 1/2*

# CONNECTING AND COORDINATING THE DIFFERENT LEVELS OF WORKER REPRESENTATION



## OBJECTIVE

*This module provides learners with practical understanding of connecting levels of worker representation, based on discussions and practical case studies.*



## DURATION

*1/2 day*

## CONTENT AND METHODOLOGY

The coordination between the sub-groups of the EWC and between the EWC and other representative bodies at the national and European level has become one of the main issues for creating an effective EWC.

- ▶ provisions of EWC agreements relating to coordination within the EWC (particularly procedural rules, where these exist) ;
- ▶ the practice of coordination among EWC members, the Secretary, Select Committee, trade union expert, technical expert, etc. ;
- ▶ relationships between EWC members and national representation bodies ;
- ▶ positive aspects of the various employment relations systems in Europe ;
- ▶ shortcomings and limitations ;
- ▶ possible improvements ;
- ▶ etc.

A presentation will be made by the trainer based on the guide, *"Information and consultation process - Linking the European and national levels"*.

## **SECOND PART**

# **ADVANCED COURSES TO IMPROVE THE EFFECTIVENESS OF YOUR EWC**

- 6) EWC information and consultation : Economic and financial analysis
- 7) EWC Information and consultation : Social analysis
- 8) Communication and negotiation techniques
- 9) European social dialogue : specifically for employees of a European company (SE)
- 10) Potential for EWC action over issues related to occupational health and safety
- 11) The role of the EWC in maintaining collective skills and expertise within companies

# EWG INFORMATION AND CONSULTATION : ECONOMIC AND FINANCIAL ANALYSIS



## OBJECTIVE

*Through this module, learners will develop an appreciation of the key concepts relating to an economic and financial analysis and a practical understanding of their use in their company.*

*The module will enable participants to understand the key concepts used by management (EBITDA, cash flow, gearing, ROE, ROA, etc.). Participants will also be able to adapt and contextualise the indicators to make an assessment of the company, and industry, they work within.*

## CONTENT AND METHODOLOGY

Hands-on work by trainees, which will cover :

- ▶ recap of previous economic and financial training courses ;
- ▶ the types of economic and financial information currently available at national level... ;
- ▶ publicly available information ;
- ▶ the issue of confidentiality.

Analysis of the economic and financial information, and documentation, normally received by EWG members, from their employer, and/or other sources, and presented to the members in EWG meetings.



## DURATION

1 day

# EWG INFORMATION AND CONSULTATION : SOCIAL ANALYSIS

## CONTENT AND METHODOLOGY

Hands-on work by trainees on :

- ▶ the areas of intervention of their EWGs on labour issues, their topics of interest in the labour field, etc.
- ▶ information available at national level.

Presentation by the trainer on ways of addressing labour issues inside the EWG : resources available to elected representatives from the technical viewpoint (social scoreboard, technical expertise) and political viewpoint (CSR and international framework agreements).

Presentation of good practices observed in EWGs based on experiences and the agreements signed.



### OBJECTIVE

*Participants will learn about the available social tools an EWG can potentially use, based on the information at its disposal.*



### DURATION

*1/2 day*

# COMMUNICATION AND NEGOTIATION TECHNIQUES



## OBJECTIVE

*This module will prepare participants for the negotiations to establish an agreement for the creation of a EWC, within a transnational context.*



## DURATION

*1 day*

## CONTENT AND METHODOLOGY

The negotiation and renegotiation of EWC agreements require participants to the discussions with management to have both the skills to negotiate an agreement (understanding the process and strategy) and a good grasp of the technical aspects of the agreement itself, in terms of negotiating specific provisions in an agreement.

Participants will also undertake individual and collective tasks, using :

- ▶ role play ;
- ▶ negotiation sessions.

# EUROPEAN SOCIAL DIALOGUE : SPECIFICALLY FOR EMPLOYEES OF A EUROPEAN COMPANY (SE)

## CONTENT AND METHODOLOGY

The tutor will present the European legal framework for information, consultation and participation and will cover :

- ▶ the process that provides for the right to information, consultation and participation of workers and their representatives ;
- ▶ adaptation in special cases ;
- ▶ new legal forms of corporate organisation ;
- ▶ the impact of these on worker representation ;
- ▶ the concept of transnational social dialogue.

Participants will be provided with an analysis of the regulations for a European Company Societas Europaea (SE) from a legal, tax and social context :

- ▶ council regulation (EC) No 2157/2001 on the statute for a European company (SE) ;
- ▶ directive 2001/86/EC supplementing the statute for a European company, in relation to the involvement of employees.

Participants will be provided with the text and analysis of agreements establishing European companies.

The tutor will present participants with selected case studies, considered good practice, on the operation of European companies and bodies for worker involvement.



### OBJECTIVE

*Following completion of this module, learners will understand the specific legal characteristics of European Companies and will understand and carry out an analysis of the criteria regulating the involvement of workers within this type of company.*



### DURATION

1 day

# POTENTIAL FOR EWC ACTION OVER ISSUES RELATED TO OCCUPATIONAL HEALTH AND SAFETY



## OBJECTIVE

*The module aims to raise the awareness of EWC members of preventing workplace risks and provide an analysis of the available tools that contribute to the improvement of working conditions and the protection of the health and safety of the company's workforce.*



## DURATION

1/2 day

## CONTENT AND METHODOLOGY

Management and worker representatives both have an interest in the prevention of risks, the improvement of working conditions and in ensuring worker health and safety in the company.

As a transnational body for social dialogue, the EWC is well placed to appreciate and monitor occupational health and safety across the company's European sites.

Learners will hear a presentation on the European legal framework on risk prevention, followed by an analysis of the available tools for EWCs, such as establishing :

- ▶ social indicators and scoreboards ;
- ▶ jointly agreed benchmarks ;
- ▶ working parties (and jointly agreeing their operation).

The tutor will present, and analyse, cases of good practice in this area.



# THE ROLE OF THE EWC IN MAINTAINING COLLECTIVE SKILLS AND EXPERTISE WITHIN COMPANIES

## CONTENT AND METHODOLOGY

The concepts associated with work groups, collective skills and expertise is presented to the participants, followed by a presentation of the available tools to anticipate the supply and demand of collective skills in the future (forward-planning).

A presentation, and analysis, of good practice on this issue at both the national and European level will be followed by a presentation of the potential for using transnational social dialogue on this topic: the right questions to ask, the appropriate contact, relevant methodology, etc..



### OBJECTIVE

*Participants will have analysed the potential for EWC intervention to safeguard collective skills and expertise inside a company. They will also benefit from the analytical tools to anticipate the potential negative impact of a company losing collective skills, technical knowledge and collective expertise.*



### DURATION

1 day

## THIRD PART

# AD HOC COURSES ON SPECIFIC TOPICS

- 12) What is the purpose of Corporate Social Responsibility (CSR) ?
- 13) What is the purpose of a company transnational framework agreement (TFA) ?
- 14) From wages to living standards : addressing the issue of remuneration through EWCs ?
- 15) Enabling the EWC to understand a company's strategic, economic and social dimensions : the role of external Experts
- 16) Essential steps to improve internal EWC coordination : improving understanding of transnationality

# WHAT IS THE PURPOSE OF CORPORATE SOCIAL RESPONSIBILITY (CSR) ?

## CONTENT AND METHODOLOGY

Members of EWCs will, at some point in their term of office, face the issue of CSR, likely associated with discussions on sustainable development, and employee representatives are increasingly a signature to European framework agreements. They are also likely to be provided with a document containing a unilateral statement by the employer concerning CSR and/or sustainable development.

Using specific and practical examples, the module will focus on material, produced by the company, such as texts, statements, and agreements. The module will attempt to place the company's practices within a wider context and develop ideas for action so this information can be imparted to employee representatives.

## PROGRAMME

1. Recap of the basic concepts.
2. Analysis of documents produced by the company.
3. Assessment of the value of the concept of CSR within a transnational setting.



### OBJECTIVE

*This module will provide a clarification of the relevant concepts and enable employee representatives to understand these to provide leverage in their discussions with the employer.*



### DURATION

1 day

# WHAT IS THE PURPOSE OF A COMPANY TRANSNATIONAL FRAMEWORK AGREEMENT (TFA) ?



## OBJECTIVE

*The module will clarify the concepts associated with TFAs and enable EWC representatives and their national counterparts to strengthen the role of transnational framework agreements and mainstream their use.*



## DURATION

1 day

## CONTENT AND METHODOLOGY

In recent years the number of European framework agreements has increased (there were 111 at end of 2011 according to a study commissioned by the Dublin Foundation), driven by the deregulation of employment legislation across Europe in tandem with employer challenges to traditional industry-wide collective bargaining. Almost half of these agreements have been signed by French companies, ahead of American and German companies. European Works Councils, national and European trade union federations have been party to the negotiations for most of these agreements, their follow-up and implementation. The topics covered by these TFAs are, in order of importance, restructuring, health and safety, fundamental rights and corporate social responsibility (CSR), professional equality and non-discrimination, social dialogue, employee share and profit-sharing schemes and data protection.

By using specific case studies, the module seeks to put into perspective the practices of a selected group of companies, and the proposed mechanisms for implementing the agreements within each group.

## PROGRAMME

1. Recap of the basic concepts.
2. Use a sample of existing agreements to provide an assessment of their scope and reach and limitations.
3. National and European assessment of the follow-up and application of these agreements, the methods and resources employed.

# FROM WAGES TO LIVING STANDARDS : ADDRESSING THE ISSUE OF REMUNERATION THROUGH EWCs

## CONTENT AND METHODOLOGY

Although EWCs are not necessarily the most appropriate forum in which to discuss the issue of wages, they are particularly well suited to discussions on employer commitments on social responsibility, beginning with discussions over employee well-being. Dialogue over this would be meaningless if the fundamental issue of remuneration was not included within its scope. However, attempting to engage with employers on the merits of including wages in EWC discussions would be futile (not to mention an ineffective use of resources). But by focusing on the living standards of workers, negotiators can shift the context and provide legitimacy for remuneration to be part of discussions for the EWC.

By commencing the module with an appraisal of salary comparators, the tutor will suggest creating new indicators for measuring and benchmarking the living standards of employees.

## PROGRAMME

1. Salary, income and purchasing power : a presentation of these concepts.
2. Consumption does not always mean purchasing : the impact of social contexts, government policies and the company's social policy on the subject.
3. Consumption, assets and living standards.
4. Necessary consumption and free-choice consumption : impact on the perception of purchasing power
5. Statistical sources in Europe (on the company's scope)
6. Case study for use by EWCs.



### OBJECTIVE

*To legitimise the inclusion of wages within the scope of EWC discussions by introducing the notion of living standards as an integral part of Corporate Social Responsibility.*



### DURATION

1/2 day

# ENABLING THE EWC TO UNDERSTAND A COMPANY'S STRATEGIC, ECONOMIC AND SOCIAL DIMENSIONS : THE ROLE OF EXTERNAL EXPERTS



## OBJECTIVE

*The module will enable participants to appreciate the scenarios in which the EWC is legally entitled to engage the services of external experts and how to manage this activity appropriately to maximise its contribution to the effectiveness of the EWC.*



## DURATION

1 day

## CONTENT AND METHODOLOGY

For EWCs to be truly effective, their members need to have a good understanding of the company – and this knowledge cannot be limited to its finances. A company's business strategy, financial position and long-term plans for social issues, such as employment and training, are fundamental to understanding how it operates, now and into the futures.

This requires that the employer provides the EWC with the appropriate information, which in reality is seldom the case. However, even in cases where the employer has provided the EWC with the appropriate information, it is often presented in an inappropriate format (i.e. its principal target audience is investors or shareholders) or the information is indigestible to the untrained eye.

New European legislation provides EWC members with the right to request experts to enable the EWC to understand the information provided by the employer. The use of external experts by EWCs, to enable members to understand the business and any proposals made by the employer, is becoming more common and can prepare the EWC for consultation. The trainer will provide information on the role and work of the expert, using both a theoretical and practical delivery methods and drawing upon existing agreements. The module will cover important questions such as who chooses the expert ; when can the EWC ask for assistance; what right does the expert have guarantee access of information; and what is the experts scope of enquiry ?

Using group work, the module also aims to highlight good practices, currently adopted by EWCs, to manage the process in order to ensure this type of support plays a fundamental part in the work of the EWC.

## PROGRAMME

1. The European legal framework and national legal frameworks concerning economical appraisals with personnel representatives.
2. The prerogatives of the EWC and the resulting possibilities of bringing in the technical expert with respect to the right to information and consultation.
3. The fields of investigation and the possibilities of access to the information provided by the technical expert.
4. The methods and resources to implement to optimise the effectiveness and impact of the expert appraisal (expert's choice criteria, definition of the engagement, co-ordination of the EWC and the select committee with the expert and the group's management, use of the expert's findings, confidentiality management).

# ESSENTIAL STEPS TO IMPROVE INTERNAL EWC COORDINATION : IMPROVING UNDERSTANDING OF TRANSNATIONALITY



## OBJECTIVE

*The module will enable EWC members to develop their own appreciation of the influences that culture, legislation and the dynamics of employment relations actors have on the discussions and actions of the EWC. Building on this knowledge, members will be able to further develop and enhance their communication skills, technical knowledge and increase the potential for building a more effective EWC.*



## DURATION

1 day

## CONTENT AND METHODOLOGY

An effective EWC requires its members to truly appreciate the extent to which the transnational dimension of the body fundamentally influences the attitude, behaviour and general approach of individual representatives, and the collective voice of the EWC. By understanding this influence EWC members can fully appreciate the views and stance of their colleagues, enabling a genuinely constructive discussion among members and enhances the operation of the EWC.

If EWCs are coordinated effectively then one of the benefits will be a more efficient and better prepared EWC annual meeting. Coordinating can be undertaken by :

- ▶ using the most appropriate methods to coordinate the EWC by examining the available tools and resources ;
- ▶ identifying good practices used by existing EWCs ;
- ▶ using a variety of good practices and tools and to adapt these to meet the specificities of the EWC – for example using specific tools for particular sectors or perhaps adapting good practice for a specific country's employment relations system.

## PROGRAMME

The tutor will facilitate a discussion on the challenges posed by the transnational nature of the EWC and participants will contribute to the development of possible actions to counter these and the resources at the EWCs disposal to achieve this.

The key points in each stage of the process will be illustrated with case studies, to be developed in working groups, to enable participants to construct specific measures to improve EWC coordination during EWC meetings.



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