

European Works Councils as Transnational Organisations? Theoretical and Empirical Findings and Prospects



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European Works Council Activity in Poland

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Industrial relations under the communist system:

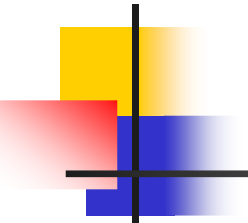
- **Trade unions controlled by the communist party**
- **The State as the owner of public property**
- **Employers deprived of their organisations**



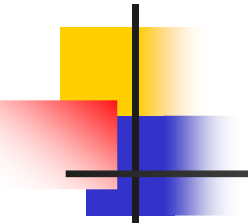
Partners in modern industrial relations

- Trade unions (Solidarity, National Trade Union Consensus) losing their members, but still having a big influence
- Employers organisations with a moderate but growing power
- Changeable role of the Three-Partite Commission

Polish law on European Works Councils I

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- Adopted by the Parliament in April 2002
 - Generally harmonised with the Directive but making allowances for specific Polish conditions
 - Principles followed in counting the number of employees (average figure for 24 months)
 - Members of special negotiating body appointed by a representative trade union

Polish law on European Works Councils II

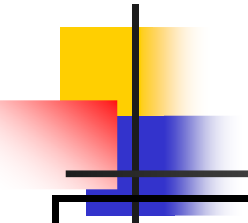
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- Members of the EWC's are covered by protective measures similarly to trade unions activists
 - Every country, in which a corporation has its plants, elects one Council member. When a corporation employs from 20% to 90% of all its employees in a given country, the number of Council members increases to 8
 - The law envisages that the EWC should have its annual budget
 - The law equips trade unions with wide powers



Scale of employee participation in trade unions in the EU's new member states in 2005

No.	Country	Scale of employee participation (%)
1.	Estonia	15
2.	Lithuania	15
3.	Poland	15
4.	Hungary	18
5.	Latvia	20
6.	Czech Republic	25
7.	Slovakia	30
8.	Slovenia	40
9.	Malta	62
10.	Cyprus	70

Research being a basis for further analysis



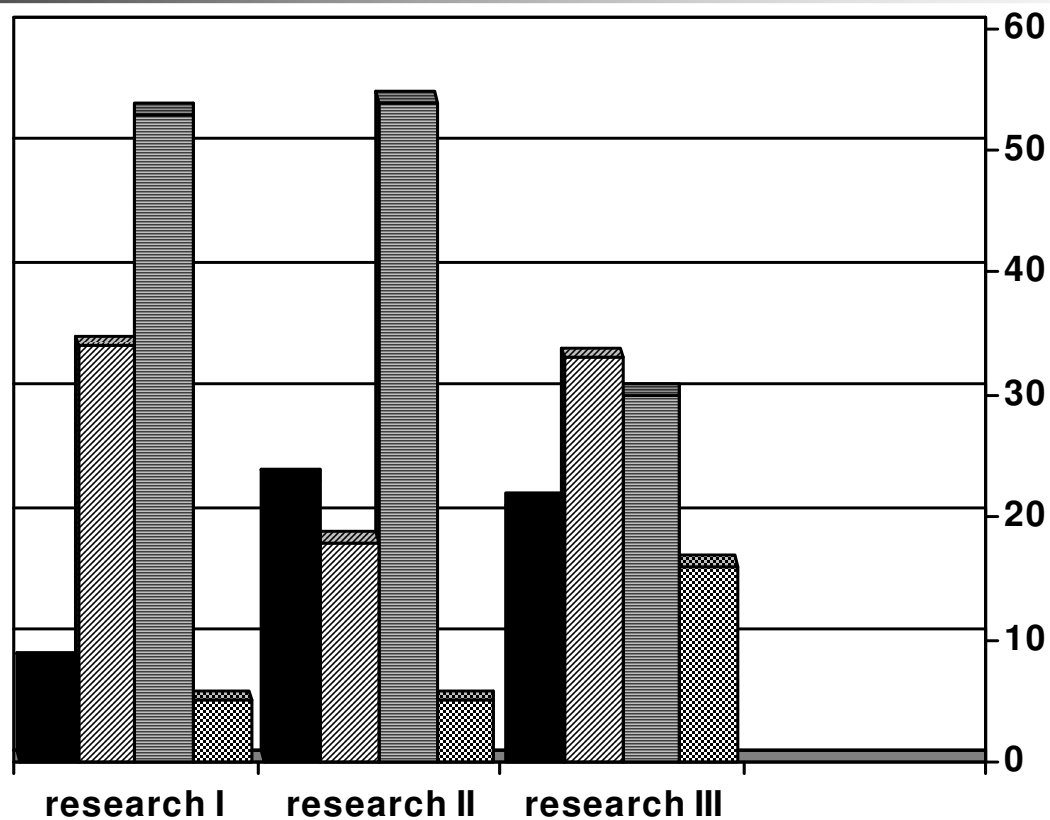
	Number of EWC' members in Poland	Number of representatives
Research I 1997-1998	19	19
Research II 2000-2001	42	42
Research III 2005	81	57
Research IV 2006 metal industry		about 15



Characteristics of Polish representatives in the Council

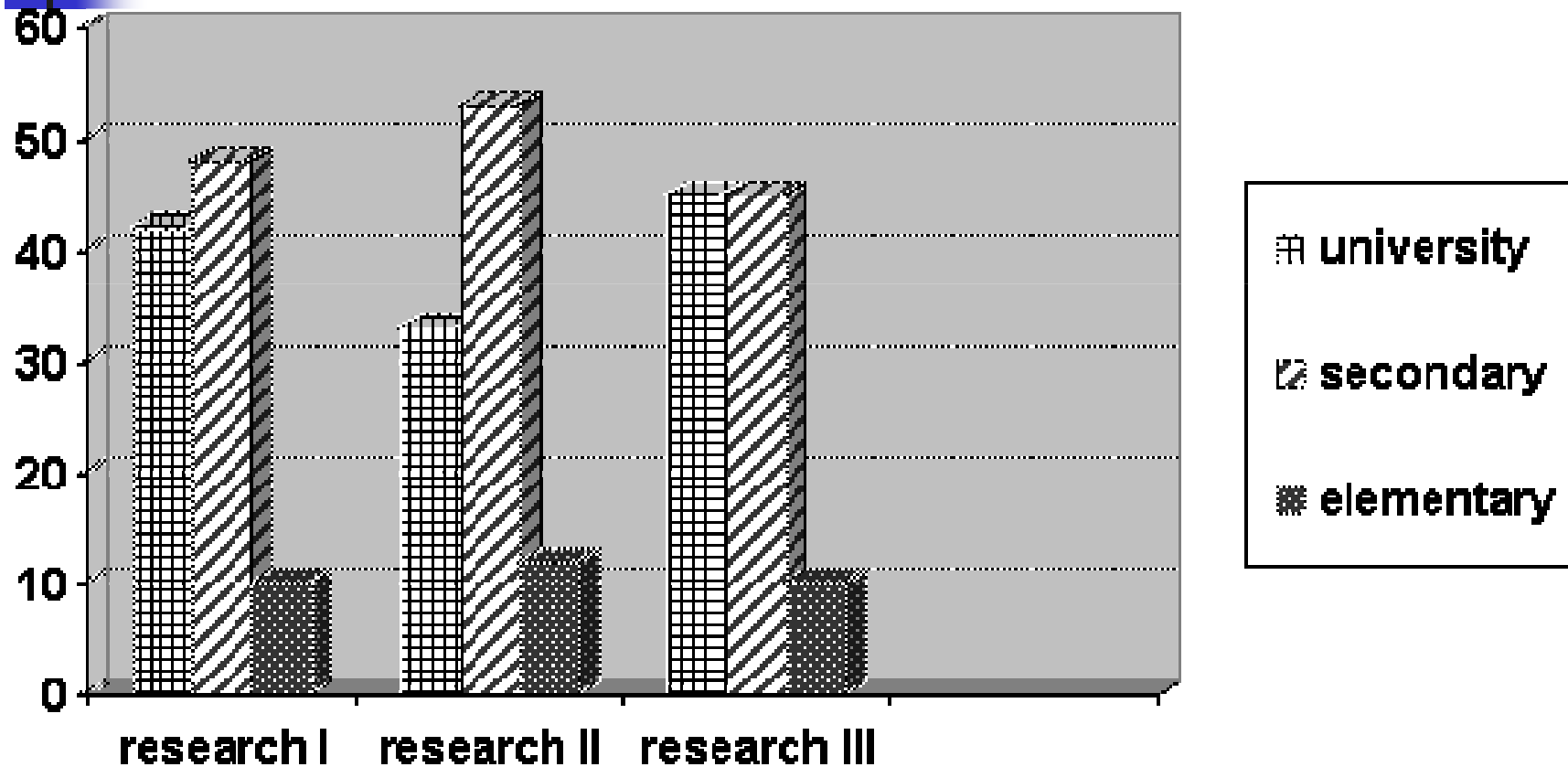
- Age
- Educational background
- Mainly trade union activists
(I - 95%, II - 90%, III - 80%)
- Way of elections to the Council

Age structure of Polish representatives in the Councils (%)



■ <35 years ▨ 36-45 years ▤ 46-55 years ▩ >56 years

Education structure of Polish representatives in the Council





Preparation to EWC activity

- Substantive preparation
- Organisational preparation
- Language preparation

Substantive preparation



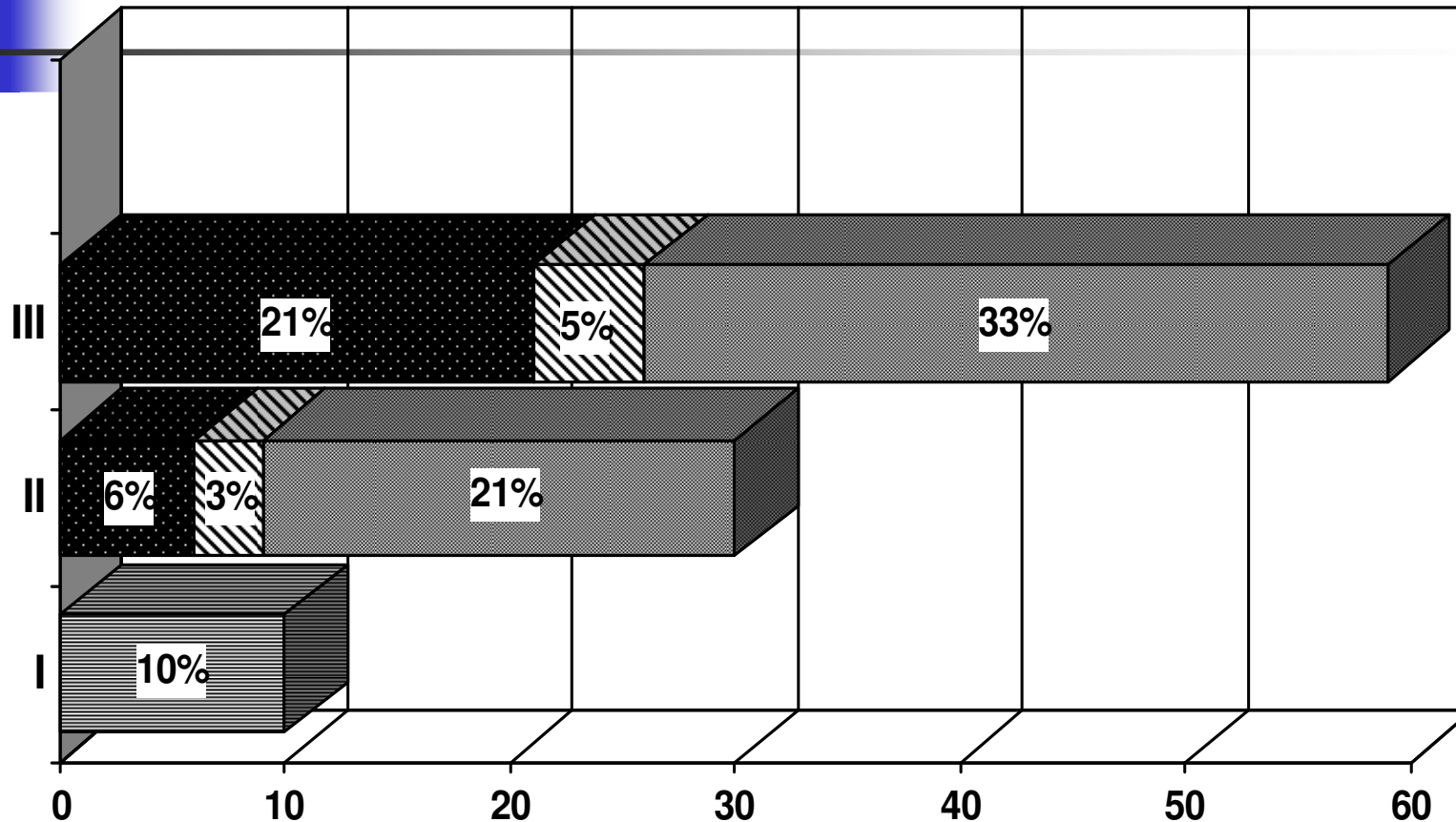
- Identical status in the Council even before accession to the EU
- Crucial role played by such preparation
- in effective activity in the Council
- Initially poor preparation but a gradual progress was discovered in successive research projects
- Role of training courses (Solidarity, EWC's, Social Development Agency etc.)
- 80% of respondents confirmed the necessity of organising further courses

Organisational preparation



- Good organisational preparation (rich experience gained in trade union activity)
- Polish representatives are able to prepare the Council meeting, express their opinions, conduct such meetings etc.
- They are generally better prepared than the Council members from western countries

Command of foreign languages of Polish representatives in EWC's



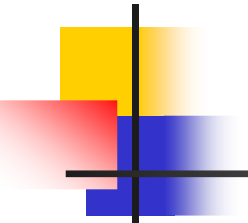
▨ good command of English

■ fluent command of two foreign languages

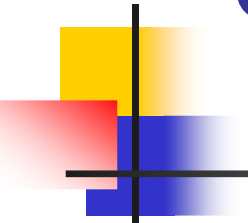
▩ fluent command of one foreign language

▧ average command of one foreign language

Positive assessment of EWC activity

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- Positive but simultaneously critical assessment of the Council's activity
 - Good and friendly climate during meetings
 - The climate is not changed by a divergence of interests (including an accusation of "stealing jobs")
 - Generally no divisions into members from
 - the EU's 'old' and 'new' countries
 - Very good relationships with top management

Critical remarks addressed to the Council

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- It is rather a weak body and it is badly organised
 - It does not constitute a representation of employees but rather a collection of loosely linked individuals
 - Information character of the Council with a very limited scope of consultations
 - Respondents make many reservations regarding received information (information of not big importance, delayed information etc.)



Critical remarks addressed to the Council

- Discussions concern issues of secondary importance and not really important issues
- The Council is to blame for this situation, as “it is not mature enough for partnership”
- Respondents are shocked by docility of the Council’s members from western Europe in relation to the management board

High involvement of Polish representatives in the Council's activity



- Presentation of domestic reports at preparatory meetings
- Advancing proposals of topics to be discussed, proposals of questions addressed to the management board
- Participation in plenary discussions, submitting motions
- A part of submitted motions resulted in positive decisions taken by the management board (Nestle, Lafage, etc.)
- Distribution of received information in local plants
- Co-operation of the Council's members with local plant management
- Co-operation with other members of the Council



Postulates concerning the Directive

- A part of postulates can be implemented in the framework of the existing Directive, whereas a part of them calls for changes in the Directive
- Necessary more precise specification of the scope and types of received information
- Necessary specification of the scope of consultations
- Binding top management to organise training courses for the Council's members



Postulates concerning the Directive

- Taking measures preventing evasion of establishing the Councils due to frequent changes in the ownership structure
- Existence of the so-called 'parish mentality'
- Difficulties connected with amendment of the Directive result from a failure of the Lisbon strategy



EWC's with their seat in Poland

- 11 corporations fulfil criteria imposing an obligation of appointing such Councils
- So far no Council has been established
- Polish trade unions do not make any bigger attempts to establish the Councils
- The first Councils can be expected in two to three years

Prospects of EWC's development in Poland



- They are dependent on the scale of Foreign Direct Investment in Poland
- They are dependent on trade union attitudes, position, behaviours and policy
- Polish trade unions perceive competition in excessive strengthening of position held by the EWC's

**Thank you for your
attention**
