



- **To the EFFAT TNC-EWC Coordinators**
- **To all EFFAT Member Organisations: For information**

Subject: Recommendations to EWC and SE-WC members and Coordinators on COVID-19

Dear colleagues,

The COVID-19 outbreak is having drastic economic and social consequences on the EFFAT sectors with a negative impact on employment and workers' rights.

All our members, including those in transnational companies, are affected by this emergency, whether they work in the hospitality sector, constantly in contact with the public, or at home with fear for their future due to the consequences of the HORECA shutdowns, or whether they are employed in a food processing factory, making sure food is available for all in Europe during these dramatic times.

Protecting workers' health, safeguarding jobs and supporting workers' income is EFFAT's top priority.

As many European Works Councils (EWCs) and Societas Europaea – Work Councils (SE-WCs) meetings have been cancelled, it is important to recall that **worker involvement through information, consultation and participation in company decision-making is more important than ever to anticipate and deal with the social and economic consequences which may arise from this crisis.** EFFAT has therefore decided to issue the following recommendations to its coordinators in Transnational Companies and European Work Councils (TNC-EWC Coordinators).

Please note that EFFAT is currently collecting all agreements and good practices adopted to protect workers during this crisis. A dedicated web page will be created on the EFFAT website. We will inform you as soon as the page is ready.

Recommendation #1

NO MATTER IF FACE-TO-FACE MEETINGS DO NOT TAKE PLACE; INFORMATION, CONSULTATION AND PARTICIPATION RIGHTS MUST ALWAYS BE RESPECTED!!

The economic and social impact of this crisis are already evident. At the moment, it is impossible to predict how long it may last. Restructurings and lay-offs are already taking place or to be expected.

Given the current emergency situation and the lockdowns affecting a growing number of Member States, EWC and SE-WC meetings cannot take place. Temporary arrangements must therefore apply to ensure workers' involvement in companies decision making continue.

EFFAT recommends the following principles to be agreed with central management during this period:

1 - The provisions of our EWC or SE-WC agreement are not suspended

Even if we are facing extraordinary circumstances, the provisions included in our EWC or SE-WC agreement are not suspended. The impossibility to meet shouldn't be used as an excuse to implement measures without informing and consulting workers' representatives. EWCs and SE-WCs should always be informed and consulted both on a regular as well as on an extraordinary manner.

2 - Regular EWC/SE-WC meetings should not be cancelled but only postponed

Face to face meetings are currently not possible. Should management wish to cancel the annual EWC/SE-WC meeting, call instead for the meeting to be postponed and take place physically as soon as possible after this crisis is over.

3 - Videoconferences

EFFAT has always advised against the use of videoconferences. However, as we are facing an emergency period and we do not know how long it may last, **videoconferences must temporarily be used to ensure EWCs and SE-WCs can still play their role during this emergency.** In these circumstances the Select Committee should ensure a permanent dialogue with central management always in coordination with the EWC, SE-WC. At the same time, management must allow the Select Committee members to carry out videoconferences among themselves and with other EWC and SE-WC members. The IT equipment should always be of good enough quality to ensure interpretation, proper discussion and a meaningful meeting. It should be made clear the use of videoconferences is extraordinary and it will apply only temporarily.

4 - Information

Information should always be provided electronically in writing and in a timely manner to all EWC members and in all languages.

5 - Consultation

Consultation will be crucial to deal with the extraordinary circumstances that inevitably affect workers' interests in these special times. Following the provisions of information as specified above, consultation should take place accordingly:

- 1) A first videoconference should take place among the Select Committee and central management to ask questions and receive clarification on the information provided by central management;
- 2) The employee representatives should have the time and resources to conduct a thorough analysis of the information provided. The Select Committee should be able to organise calls and videoconferences among its members and with the rest of the EWC, SE-WC to develop one or more opinions regarding any transnational matter affecting workers' interests;
- 3) The EWC or SE-WC Chair (if applicable) should provide to central management the employee representatives' opinion(s) in writing after it has been validated by the rest of the EWC or SE-WC;
- 4) Central management should issue an explanation and motivated response regarding the final decision that will be taken, and on the opinions and alternative solutions provided by employee representatives. Additional videoconferences should take place if needed.

EWC members of the countries potentially affected by a transnational matter should always be involved.

Recommendation #2

MANAGE THE IMPACT AND THE CONSEQUENCES OF THIS CRISIS!

We call on all EFFAT TNC - EWC Coordinators to use their role to anticipate as much as possible the negative consequences of this crisis on workers' interests. In particular we invite our Coordinators to:

1 - Make sure regular updates are provided to the EWC, SE-WC you coordinate

We invite all our Coordinators to demand the provision of a regular (e.g. weekly) update of the situation, by asking management to send the following information in written form and per country to all EWC and SE-WC members:

- Measures taken by management to protect workers' health and safety, safeguard jobs and workers' income in relation to COVID-19 outbreak
- Situation in the different plants/workplaces concerning business operations e.g. (shift pattern changes in production, logistic or administration)
- Trends of employment levels

- Impact of the crisis on the business and evolution of the economic and financial situation

Videconferences with the Select Committee are also recommended to receive regular updates (see recommendation nr 1).

2 - Address central management and demand protection for workers' health, jobs and workers' income

In case the measures adopted in each country to protect workers' health, safeguard jobs and income are not sufficient, we invite EFFAT TNC-EWC Coordinators to address on EFFAT's behalf a letter with specific demands to the attention of the CEO and the European Human Resources Director of the TNC they are responsible for. Please always inform the Secretariat if you believe this initiative is needed and in case you need assistance or an EFFAT template letter.

The letter should ask for a coordinated approach in all countries where the company operates. The demands will of course change depending on the sector and the company. However, as a matter of reference, we recommend raising two main demands:

1. Precautionary measures must be taken to protect workers' health.

The letter should invite national management to engage with EFFAT affiliates at national and local level to adopt effective measures to protect workers' health, including, *inter alia*:

- The adoption of clear protocols to safeguard workers' health to be applied in all workplaces;
- The provision of protective equipment in each workplace to safeguard workers' health (masks, gloves) and increase the sanitisation of workplaces;
- Taking measures to limit and regulate the influx of guests and visitors, as well as queues and gatherings (e.g. when accessing premises, during shift change, in the control room, checking out of hotels, or waiting to be served food, childcare support);
- The provision of special signs to remind staff and guests of model behaviour (wash hands regularly, minimum distance etc);
- The development of contingency plans for in the event of a suspected COVID-19 case on the premises;
- Advising workers who suspect they may be infected to contact health care services remotely and self-isolate at home;
- Promoting smart working (whenever possible) and facilitate childcare support if needed.

2. Employment and workers' income should be safeguarded.

The letter should invite national management to engage with EFFAT affiliates at national and local level to negotiate effective measures to safeguard employment and income of all workers:

- Nobody should be made redundant because of COVID-19. Workers' income should always be safeguarded. In case the operations are temporarily suspended workers should keep their jobs and be fully reintegrated as soon as the crisis is over. State wage compensation mechanisms should be explored in case of need;
- All workers who present with symptoms, who are placed in quarantine, as well as those who are obliged to stay at home to care for family members who are ill or in quarantine, should be able to take leave with full pay without fear of losing their jobs or income.

3 - In case irresponsible employers decide to take advantage of this emergency to carry out collective dismissals please inform the Secretariat immediately.

The EFFAT Secretariat remain at your complete disposal in case of need. We are currently working from home due to the lockdown in Belgium. But please do not hesitate to contact us also via telephone at the following number (Enrico) 0032491617100.