


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1991/0387(COD) Procedure lapsed or withdrawn
Statute for a European association: involvement of employees	
Subject 3.45.07 Social economy, mutual societies, cooperatives, associations 4.15.10 Worker information, participation, trade unions, works councils	

Key players			
European Parliament			
Council of the European Union			
	Council configuration	Meeting	Date
	Social Affairs	2102	04/06/1998
	Social Affairs	2081	07/04/1998
	Competitiveness (Internal Market, Industry, Research and Space)	2079	30/03/1998
	Social Affairs	2060	15/12/1997
	Competitiveness (Internal Market, Industry, Research and Space)	2051	27/11/1997
	Competitiveness (Internal Market, Industry, Research and Space)	2007	21/05/1997
	Social Affairs	1999	17/04/1997
	Competitiveness (Internal Market, Industry, Research and Space)	1970	26/11/1996
European Commission	Commission DG	Commissioner	
	Internal Market, Industry, Entrepreneurship and SMEs		

Key events			
04/03/1992	Legislative proposal published	COM(1991)0273	Summary
10/04/1992	Committee referral announced in Parliament, 1st reading		
03/12/1992	Vote in committee, 1st reading		Summary
02/12/1992	Committee report tabled for plenary, 1st reading	A3-0001/1993	
19/01/1993	Debate in Parliament		
20/01/1993	Decision by Parliament, 1st reading	T3-0013/1993	Summary
05/07/1993	Modified legislative proposal published	COM(1993)0252	Summary

23/11/1993	Vote in committee, 1st reading		
22/11/1993	Committee report tabled for plenary confirming Parliament's position	A3-0364/1993	
02/12/1993	Decision by Parliament, 1st reading	T3-0681/1993	Summary
26/11/1996	Debate in Council	1970	Summary
17/04/1997	Debate in Council	1999	
21/05/1997	Debate in Council	2007	
27/11/1997	Debate in Council	2051	
15/12/1997	Debate in Council	2060	
30/03/1998	Debate in Council	2079	
07/04/1998	Debate in Council	2081	
04/06/1998	Debate in Council	2102	
27/10/1999	Debate in Parliament		Summary
17/03/2006	Additional information		Summary

Technical information

Procedure reference	1991/0387(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 044
Stage reached in procedure	Procedure lapsed or withdrawn

Documentation gateway

Legislative proposal	COM(1991)0273	05/03/1992	EC	Summary
Economic and Social Committee: opinion, report	CES0642/1992 OJ C 223 31.08.1992, p. 0052	26/05/1992	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A3-0001/1993 OJ C 042 15.02.1993, p. 0003	03/12/1992	EP	
Text adopted by Parliament, 1st reading/single reading	T3-0013/1993 OJ C 042 15.02.1993, p. 0075-0095	20/01/1993	EP	Summary
Modified legislative proposal	COM(1993)0252	06/07/1993	EC	Summary
Reconsultation	COM(1993)0570	10/11/1993	EC	
Committee final report tabled for plenary, 1st reading/single reading	A3-0364/1993 OJ C 342 20.12.1993, p. 0002	23/11/1993	EP	
Text adopted by Parliament confirming position adopted at 1st reading	T3-0681/1993 OJ C 342 20.12.1993, p. 0015-0030	02/12/1993	EP	Summary

Additional information

Statute for a European association: involvement of employees

PURPOSE : to provide for the participation of employees in the EA in order to recognise their place and their role in the proposed organisation.

PROPOSED ACT : Council Directive complementing the statute of the European Association concerning the role of workers

CONTENT : The proposal deals with the role of workers in future European Associations, the establishment of which is the subject of a separate and simultaneous proposal (please see COD/1991/0386).

Principle: the national provisions of the State where the headquarters of the EA is located may be regarded as applicable with regard to the participation of workers in the bodies responsible for supervision and administration of European associations. Failing that, the Member State should make specific provisions to ensure at the least, consultation of and information to workers, in accordance with the model, the outlines of which are given in the proposal.

Minimum provisions: the minimum requirements outlined in the proposal concerning the information and consultation of workers are the following:

- the implementation of a procedure for adopting a system of information and consultation in EAs with at least 50 workers;
- where the EA is set up directly by natural persons, the system chosen must be submitted for approval by the constitutive general assembly;
- the administrative board of the EA must inform and consult the workers in good time and determine the areas on which at least the information and consultation must be provided, and especially on all proposals which may have serious consequences for the interests of workers or all questions concerning the conditions of employment.

The directive specifies certain fundamental principles concerning the modalities of election and exercise of mandates. Accordingly, the workers' representatives must be elected and represent the workers of all the various offices or factories of the EA, even if they are part-time employees.

Statute for a European association: involvement of employees

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Statute for a European association: involvement of employees

The European Parliament approved the Commission proposal subject to amendments relating to employee information, consultation and participation.?

Statute for a European association: involvement of employees

The Commission's modified proposal reflected, in whole or in part, 6 of the 23 amendments suggested by the European Parliament, including the following in particular: - those broadening the consultation and information of European Association workers on any decision potentially susceptible of having an impact on the future prospects of the European Association and on their conditions of employment, and on any decision requiring approval by the administrative board; - that allowing the workers' elected representatives to exercise their mandate during working hours, prohibiting any penalty imposed because of that mandate and preventing their dismissal in the absence of good reason; - that providing that the information and consultation system may not be modified, in the event that the registered office is transferred from one Member State to another, unless there is agreement between the administrative board and the workers' representatives. On the other hand, the Commission rejected all the amendments proposing that participation be imposed as an alternative model. ?

Statute for a European association: involvement of employees

Commissioner Monti had informed the Council of the mandates and working calendar of the independent group of experts charged with identifying solutions designed to break the deadlock currently affecting the proposal for a regulation on the Statute for a European Society (SE). The mandate given to the group, which was chaired by Mr Etienne Davignon, former Vice-President of the Commission, was restricted to the investigation of solutions affecting the position of employees within the framework of the SE. The group was to present its report in early 1997. The current proposal on the SE had first been submitted to the Council in 1989, but the project had stalled because of the irreconcilable positions adopted on the provisions for employee participation in the decision-making bodies of the SE. This problem also affected proposals relating to European statutes for cooperative societies, mutual societies and associations.

Statute for a European association: involvement of employees

The European Parliament confirmed as its first reading the text voted on 20.01.1993 on a proposal for a Directive supplementing the Statute for a European association with regard to the involvement of employees, the number of the legal base of which has changed with the entry into

force of the Amsterdam Treaty.?

Statute for a European association: involvement of employees

?Following the screening exercise of proposals pending undertaken as part of its effort for better regulation in the framework of the Partnership for Growth and Jobs in the European Union, the Commission has decided to withdraw certain proposals on which the Legislator has not yet reached a decision and which were found not to be consistent with the Lisbon and Better Regulation criteria, unlikely to make further progress in the legislative process or found to be no longer topical for objective reasons?. (OJ C64 of 17.03.2006, pages 3-10).