



## **ETUC Resolution on the 'European Workers Participation Fund'**

At its meeting in Brussels on 15-16 October 2008, the Executive Committee of the European Trade Union Confederation (ETUC) adopted a resolution on the proposed European Workers Participation Fund.

1. The ETUC Executive considered this proposal at its meeting on 5 and 6 December 2007 and on 24 and 26 June 2008. At the meeting in June the principle was adopted to transfer part of the remuneration of workers' representatives on SE boards to the European Workers Participation Fund established at the European Trade Union Institute (ETUI). At the same time several questions were raised which were to be thought through before the current meeting of the ETUC Executive Committee. Questions were raised regarding the structure of the fund and the practical use of the resources and the proportion which should stay at the national level or rather be transferred to the ETUC.
2. Annexed to the present resolution is a thorough overview of the structure of the funds, the work areas for which the funds should be used and tax treatment of the (partial) transfer of the remuneration of the supervisory board or management board as the case may be.
3. Further practical questions were considered in the draft resolution. These deal with, *inter alia*, the possible capping of funds that do not have to be transferred and the possibility for member organisations or facilities thereof to transfer more than 50% to the EWPF.
4. Concerning employee participation and co-determination in the European Union, the latest developments on the European Company (SE) and the European dimension referred to can be seen in the presentation to the ETUC Executive meeting of 24-25 June 2008.
5. The ETUC member organisations once again pledge to commit themselves to securing a high level of co-determination in negotiations on worker participation in the European Company (SE). In nominating workers' representatives in supervisory or administrative boards, only those candidates should be supported who belong to an ETUC affiliated organisation. The nomination or appointment procedure for workers' representatives takes place within the framework of national transposed legislation. It is the responsibility of the trade unions to ensure a high level of transparency. In the event the rule is not respected, the trade unions will not support a renewal of the mandate.

6. When nominating workers' representatives to sit on the SE Board, only those candidates from ETUC member organisations will be put forward, i.e. supported, as have made a binding commitment to adhere to the following regulation on transfer (see Paragraph 7).

7. Workers representatives on an SE Board must:

- transfer 10% of their remuneration if the remuneration is less than or equal to 3,500 euros;
- in addition to the deduction described in the first bullet point above, transfer 90% of any remaining remuneration over and above 3,500 euros.

8. The basis for the amount of the transfer is the value after taxation according to national rules (see explanation on taxation in the annex).

9. Affiliates of the ETUC may decide at national level that the part to be transferred could be higher than 90%.

10. The resources will be given to the corresponding member organisations of the ETUC (or their affiliates) or to trade union institutions (foundations, educational institutions, etc). These, on the other hand, are obliged to pass on 50% of the resources to the EWPF set up by ETUI. Affiliates may decide that the part transferred to the EWPF may be higher than 50%.

11. The resources thus transferred to the ETUI will be used to support the work of workers' representatives in European Companies (SEs) (for more detail see Annex).

12. A Board of Trustees will decide on how the resources are to be utilised.

13. The Board of Trustees made up of the General Secretary of the European Trade Union Confederation and General Secretaries of the European Industry Federations, as well as representatives of the national ETUC member organisations, should be limited to seven members. It can be increased as and when necessary. It should be made up of representatives of organisations mainly concerned by the transfer of remuneration rule. The members of the Board of Trustees will be appointed by the Steering Committee of the ETUC.

14. The ETUC General Secretary will report once a year to the ETUC Executive Committee on activities.

15. This arrangement will be valid, for the time being, until the year 2011. The ETUC secretariat is asked to undertake an in-depth audit in 2009 and 2010. On the basis of the assessment the secretariat will make a proposal to the Executive Committee for a renewal of this arrangement.

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