



Information, consultation and board-level participation will become more widespread in Europe

This is the expected effect of the agreement on workers' involvement in the future **MAN SE**, one of the leading manufacturers of commercial vehicles, engines and mechanical engineering equipment, concluded in February 2009.

Around 49,000 MAN employees in Europe will henceforth have the opportunity to oversee management decisions through their representatives in MAN SE's supervisory Board, whose composition is based on parity of workers and shareholders' representatives, something that previously only German employees enjoyed. Initially, four German representatives and one each from Austria and Poland have been appointed to represent the European workforce in MAN SE's highest-level monitoring body. Thomas Otto, head of IG Metall's department of codetermination and company policy, will serve as deputy chair of the Supervisory Board. Two out of the eight workers' representatives may be appointed by the national trade union (currently IG Metall), which is assigned by the European Metal Workers Federation (EMF).

The MAN management agreed to involve the SE Works Council – composed initially of 26 representatives from throughout Europe – topically and extensively in decision-making on matters of strategic importance for the company. The SE Works Council will meet regularly at least twice a year and will be represented by a strongly positioned and amply provided nine-person executive committee, which will be supported by an assistant employed by the company. Remarkably, in the present context of uncertainty and change the agreement contains a clause to renegotiate, if necessary, relevant sections of the agreement in case of significant structural change.

Thomas Otto of IG Metall and head of the MAN special negotiating body is fully satisfied with the agreement, highlighting its importance as a model for further SE agreements. **Peter Scherrer, EMF General Secretary**, recognised the MAN SE agreement as a new model for the further strategic positioning of workers in transnational companies by obligatory involvement even in boardrooms. 'Ignoring workers' voices and listening exclusively to profit-sucking shareholders is becoming outdated in light of the crisis – only companies with a long-standing corporate culture based on respect and partnership relations like MAN will have a sustainable future', he concluded in assessment of the MAN agreement.

For further information on more than 300 SEs go to
<http://ecdb.worker-participation.eu/>
the topical website service of the European Trade Union Institute (ETUI).

Further key features of the MAN SE agreement

Composition, bodies and measures concerning the functioning of the SE Works Council

- The maximum number of members of the SE Works Council can vary in accordance with the total number of employees (24–31 members). The principle of composition is to include representatives from all important production sites.
- Composition shall be in accordance with the transnational composition and distribution of the MAN workforce: each member state shall receive one (1) seat in the SE Works Council for every 2,500 employees, while so-called ‘delegation groups’ (made up of representatives from different countries) decide on the allocation of the other seats among countries with fewer than 2,500 employees.
- The members of the SE Works Council shall elect a chair, two deputy chairs and a secretary (to keep the minutes). An assistant paid by the company may support the SE Works Council.
- The SE Works Council may form an Executive Committee consisting of 9 members (including the chair and the two deputy chairs) which will be responsible for the day-to-day business of the SE; the Executive Committee may meet regularly six times a year.
- Regular meetings: twice a year (special meetings may also be convened if required).
- Skills and training provided if required, paid for by the SE.
- An SE Works Council (“SE Works Council”) will replace MAN’s existing European Works Council.

Special rights of the SE Works Council

- In extraordinary circumstances: if the management does not take account of the SE Works Council’s opinion, a right to another meeting with a view to reaching an agreement.
- The agreement is of unlimited duration but its regular termination is possible from 31.12.2016 at the earliest, requiring a simple majority representing at least 75 per cent of the workforce from all EU member states covered by the agreement.
- Renegotiation of the agreement is possible in case of ‘structural change’: changes which affect at least 20 per cent of the current workforce, changes in the corporate structure or the acquisition of a significant share in another company which will affect MAN as a whole.
- Internal conciliation body to resolve conflicts concerning the scope of the agreement.

Workers’ representatives in the MAN SE Supervisory Board

- Eight out of 16 members of the SE Supervisory Board shall be employee representatives appointed by the SE Works Council.
- Two out of six employee representatives shall be full-time trade union officials proposed by the trade union, which is assigned by the European Metal Workers Federation (EMF).
- The initial SE Supervisory Board will consist of representatives from Germany (4, including two full-time trade union representatives), Austria (1) and Poland (1).