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COVER NOTE

From:	The Irish Houses of the Oireachtas
date of receipt:	17 April 2024
To:	The President of the Council of the European Union
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights [5837/24 - COM(2024) 14 final] - Opinion on the application of the Principles of Subsidiarity and Proportionality

Delegations will find enclosed the opinion[1] of the Irish Houses of the Oireachtas on the above proposal.

[1] Translation(s) of the opinion may be available on the Interparliamentary EU Information Exchange website (IPEX) at the following address: https://secure.ipex.eu/IPEXL-WEB/document/COM-2024-0014

Houses of the Oireachtas

Joint Committee on Enterprise, Trade and Employment

Political Contribution on COM (2024) 14

Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights (Text with EEA relevance) {SWD(2024) 9 final} - {SWD(2024) 10 final} - {SWD(2024) 11 final} - {SEC(2024) 35 final}

April 2024 **33/ETE/29**

INTRODUCTION

1. The Oireachtas Joint Committee on Enterprise, Trade and Employment ("the Committee") considers the EU Legislative proposal of:

- COM (2024) 14

  Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights (Text with EEA relevance) {SWD(2024) 9 final} - {SWD(2024) 10 final} - {SWD(2024) 11 final} - {SEC(2024) 35 final}

COMMITTEE SCRUTINY

2. The Committee formally considered COM (2024)14 in private session, on 6 March, 20 March, and 10 April. It has agreed to provide a Political Contribution in response to the proposal.
3. Three stakeholders responded to a request for written submission that took place on 14 March 2024 with representatives of:

- Irish Business and Employers Confederation,
- Eurofound, and
- European Trade Union Confederation.

DECISION OF THE COMMITTEE

4. On 10 April 2024, the Committee agreed to forward a copy of this political contribution to:

- the Minister for Enterprise, Trade and Employment, Peter Burke

- the President of the European Commission, Ms Ursula von der Leyen,
- the President of the European Parliament, Ms Roberta Metsola, and
- the President of the Council of the European Union.

- The Committee further agreed that, in the interests of interparliamentary cooperation on European Union matters, a copy of this political contribution would be forwarded to the appropriate body in the national parliament of each European Union Member State and to Ireland's Members of the European Parliament.

OPINION OF THE JOINT COMMITTEE

5. Having considered the proposal in detail, the Joint Committee on Enterprise, Trade and Employment makes the following observations:

a. The Committee is supportive of the objectives of the proposal, which aims to revise the European Works Councils (EWCs) Directive to further improve social dialogue in the EU.

b. The Committee welcomes the proposal's aim to strengthen the role of EWCs by facilitating their creation, fostering more meaningful information and consultation, and ensuring they have the necessary capacity to carry out their work and further encourages the aim to strengthen gender balance of EWCs.

c. The Committee supports the necessary improved rights and definitions enhancing a clearer definition of transnationality, ensuring that European Works Councils (EWCs) are consulted on matters affecting workers across borders.

d. The Committee expresses a positive outlook towards the concept of fallback positions when no agreement is reached, introducing a second

annual meeting, and removing limitations on expert involvement. This ensures more robust negotiation processes.

e. The Committee supports the requirement of companies to provide written justification for classifying information as confidential. This promotes transparency and accountability.

f. The Committee supports the Commission's aim to improve access to justice for EWCs, proposing that legal costs be borne by the management rather than individual EWC members. This removes financial barriers to justice.

g. The Committee supports the deletion of all exemptions, allowing more companies with pre-directive agreements to set up EWCs, aligning with the EWC Directive and promoting inclusivity.

CONCLUSION

6. For the reasons stated, the Oireachtas Committee on Enterprise, Trade and Employment understands that the Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights is in accordance with the principle of subsidiarity established in the current Treaty of the European Union.



Deputy Maurice Quinlivan T.D.,
Cathaoirleach,
Oireachtas Committee on Enterprise, Trade and Employment

Appendix

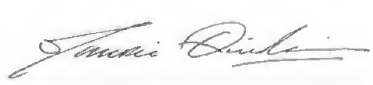
10 April 2024

Dear Ms. President,

I would like to inform you about the opinion of the Committee on Enterprise, Trade and Employment of the Houses of the Oireachtas on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/38/EC as regards the establishment and functioning of European Works Councils and the effective enforcement of transnational information and consultation rights (Text with EEA relevance) {SWD(2024) 9 final} - {SWD(2024) 10 final} - {SWD(2024) 11 final} - {SEC(2024) 35 final}.

The respective stakeholder documents were included in the agenda of 20 March session of the Committee on Enterprise, Trade and Employment and was scrutinized on 6 March, 20 March, and 10 April 2024. After consulting written stakeholders and after the discussion the Committee has adopted this letter in the context of the Political Dialogue which is enclosed.

Yours sincerely,



Maurice Quinlivan

Cathaoirleach

Oireachtas Committee on Enterprise, Trade and Employment