



# Checklist on Restructuring Processes





# Checklist on Restructuring Processes

**European Commission**

Directorate-General for Employment, Social Affairs and Equal Opportunities

Unit F.3

Manuscript completed in February 2009

Neither the European Commission nor any person acting on behalf of the Commission may be held responsible for the use that may be made of the information contained in this publication.

© photos: IStock

For any use or reproduction of photos which are not under European Communities copyright, permission must be sought directly from the copyright holder(s).

More information on the European Union is available on the Internet. (<http://europa.eu>).

Europe Direct is a service to help you find answers  
to your questions about the European Union

Freephone number (\*):  
**00 800 6 7 8 9 10 11**

(\*) Certain mobile telephone operators do not allow access to  
00 800 numbers or these calls may be billed.

Restructuring is painful for the actors concerned, in particular for workers and regions. The current economic crisis, which affects all economies of the European Union, is confirming that. The crisis has severe negative effects on employment as a consequence of a rising number of companies being forced to restructure their activities.

The different actors involved in restructuring have all advantage in working together to ensure coherence and synergies between their specific roles in the process of anticipating and managing change and restructuring. In order to maximise the chances of a successful reconversion of the workers made redundant, the restructured companies and the regions affected, measures need to be quickly taken as part of a reconversion plan co-ordinated by a specific taskforce or similar structure.

To help the actors confronted with a restructuring event in their region or in their company, the Commission would like to put at their disposal a set of comprehensive checklists of concrete actions aimed at anticipating, managing and reacting to restructuring.

These checklists are based on numerous practical examples of good practices in the context of anticipating and managing change and restructuring within different national frameworks, industrial relations systems and economic and social contexts. Even if some of the best practices referred to in the fiches are not easily transferable, they can all serve as a source of inspiration.

The checklists are organised as a set of fiches addressed to each one of the main actors involved (companies, employees' representatives, social partners, regional authorities, national authorities and employees themselves). The actions in each fiche are divided according the timing of the actions to be undertaken (actions and instruments to be developed on a permanent basis, actions to be taken during the restructuring process and actions to be developed afterwards).

The checklist is based on the results of a workshop organised by DG EMPL, in Brussels on 11 February 2009. More than 40 experts on restructuring from all over Europe participated in this workshop and identified more than 600 actions. This checklist is a synthesis of the most important actions identified.

## INTRODUCTION

In recent years, the European Commission launched several initiatives in the field of anticipating and managing change and restructuring (e.g. the creation of the Restructuring Forum, where many examples of innovative practices were discussed). The European Commission also financed numerous studies on this topic and supported the Joint European Social Partners' Work Programme which is including also an integrated project on restructuring in the EU27 countries<sup>1</sup>.

Since the late 1990s with the changing pace and forms of corporate restructuring, anticipation has become a crucial issue. New practices from different actors inside and outside of companies have emerged. They show that restructuring can be managed in an easier way and with more success when social and regional actors are able to anticipate the negative effects in

the short-term (operational anticipation) and, above all, when they manage to prepare change in the long-term (strategic anticipation).

Strategic and operational and strategic anticipation of change and restructuring is not only a necessary requirement for managing those processes in a socially responsible way and to soften their social impact. It is also an indispensable pre-condition of economic success and of company competitiveness. Never losing sight of the strategic desirable evolution of the company and placing the processes of change within long-term frameworks of analysis and management (as opposed to decision-making based on the search for short-term profits or on asset value objectives) can usefully contribute to the sustainability and competitiveness of the company. This assertion is also valid for economic sectors, regions and economies as a whole.

### The importance of time and space

The more time the actors have to act before the announcement of a restructuring (or even after the announcement but before the implementation of

<sup>1</sup> "Since 2004 the European Partners have started to carry out comprehensive national studies on restructuring in the EU member states. In addition to a series of national dossiers and national seminars with social partners, two comparative reports on restructuring in the new member states and ten "old" member states have been carried out so far. Currently the project is in the final phase covering seven EU countries before a final evaluation report and major conference will complete the project in 2010. For further information and links see the literature section.

the restructuring plan), the more space for discussion they have to anticipate and manage it in a responsible way and to find solutions to economic and occupational problems resulting from it. The period of time given for restructuring (especially in a context of acceleration of change) has recently become a major factor conditioning the ability of the actors to monitor the situation, to identify particular risks (dependent, for example, on the particular level of qualification, age, health, and sex of the workers involved) and to act in a proactive way.

This means that the type of anticipative action of each actor strongly depends on the period of time they have at their disposal before, during or after the announcement. There are degrees of predictability in the managing of change. It depends where the time cursor is situated.

A high degree of predictability is possible when anticipation is used as a **permanent** monitoring process for developing workers' employability and sustainable activities of the company. Such an *ex ante* **approach** aims at conceiving and implementing in advance strategies, practices and measures that contribute to enable companies and workers to adapt to all internal and external shocks and transformations. National, regional and sectoral observatories dealing in a prospective way with the evolution of employment, skills and careers belong to this category. Early warning mechanisms intervene generally a bit later but are still within this early stage of anticipation that gives time to the actors to build a common representation of the future economic and social evolution.

Anticipation can also be designed to manage a particular restructuring process in the best possible way, to find alternatives and to limit its social negative impact, according to a **"curative" or an *ex post* approach**. In this context, tools and procedures are conceived and used at an early stage to prepare workers, organisations, work processes and the local labour market to the consequences of a restructuring event already under way. The aim here is to mitigate the impact of restructuring on the employment paths of workers and on the economic situation of the region concerned.

At the last stage, there are strategies aimed at managing a temporary crisis, by implementing different tools (e.g. during the present crisis, short-time work or reinforcing temporary unemployment schemes, part-time work, etc.). The main idea behind this approach is to find ways to maintain the workforce during the crisis and then to be ready to restart the normal process after the crisis. But it is also important to take on board

the fact that a crisis can stimulate the necessity to accelerate structural adaptations.

It is clear that the current economic crisis reduces drastically the time and space for anticipative intervention and the capacity of the social and regional actors to implement anticipative solutions. But even in this period of crisis, time remains an essential factor for overcoming the crisis situation (e.g. the use of the short-time work accompanied with training).

### A multi-level, multi-actors issue

Anticipation can be used by the actors concerned at different levels (European, national, regional sectoral and company). How can the actors be involved in preparing in a permanent way change (especially before the announcement of restructuring)? Which are the capacities of the actors to build a shared diagnosis of a restructuring situation and to regulate the situation? Are there shared diagnoses and a common perception of the crisis and of its causes?

All actors can play an active role in anticipating and managing change, as new and innovative practices show. In a context of multi-actor anticipation, the actors concerned are not only inside but also outside the company. A multi-actor approach also requires strong interconnections between actions at different levels (mobilising corporate strategies, local management, trade unions, public authorities, regional bodies, observatories, universities, the European level, etc). The multiplicity of these interactions which conditions the role of the different actors is a factor of complexity. It also means that some actions and some policies are more difficult to apply to small and medium enterprises (SMEs).

With regard to **companies**, social responsibility for anticipating and managing change concerns the internal as well as the external responsibility of the companies (local, national, or European/international level). It concerns for instance the involvement of the company in the economic revitalisation of the area hit by the restructuring, thus it aims at securing the professional transition of workers made redundant.

From the **employees' representatives'** perspective, anticipation is very much linked to their capacity to exercise in right time their social and economic prerogatives at different levels (site, company, group of companies and at national and European level). This preconditions of course an effective and constructive mode of implementing information, consultation and negotiation practice at the enterprise and group levels.

From the **individual worker's** viewpoint, anticipation relies on his capacity as an individual to choose and to use a training programme in order to improve his employability in the labour market and to facilitate a transition in his career and working life. The intensity of the difficulties met by workers made redundant varies according to their qualification, with the risk more important when his level of qualification is low. With regard to employability it is evident, that the individual employee can not be regarded as an isolated entity but other actors (employer, employee representation, social partners, authorities) have a crucial role to play to support, motivate and endorse individual employees.

For **social partners**, collective bargaining and other forms of bi- and tripartite bargaining, negotiation and dialogue are one of the most important tools of anticipating and managing change at enterprise and sectoral (national and European/international) levels. Social partners also play a crucial role with regard to the "social perception" of a given restructuring situation.

**National and regional authorities** can also develop specific actions supporting people and companies in the field of anticipation of change and restructuring. Regional authorities have a specific role to coordinate all actors and to offer rapid answers.

## COMPANIES

Companies are at the centre of the restructuring process. Any efficient action of anticipation and socially responsible **restructuring must start and be conducted mainly within individual companies**. Internal action is however frequently insufficient to prevent or alleviate the social impact of restructuring. It must be combined with parallel measures and instruments deployed by **other actors** (social partners' organisations, public authorities and individual employees) **at other levels of governance** (local, regional, national, sectoral and European).

A key element of any successful strategy of anticipation and prevention of the negative social impact of restructuring consists in building **a culture and practices of permanent adaptation to change**, by creating and pursuing **on a permanent basis** the instruments that will facilitate smoother adaptation and will help better coping with crisis situations once they occur: developing specific knowledge and expertise on change management, developing strategies of crisis management and creating early warning systems. This implies that the strategic dimension is integrated in corporate management as opposed to short-term profit or asset value objectives. For this purposes,

the creation within the companies of **change managers** who will liaise with similar entities existing at other levels (notably, at regional, national and sectoral level) seems particularly useful.

It seems also important to underline the role that the companies can play concerning the **employability** or capacity to adapt of their workforce. The development of the workers' competences is crucial for the success of the company and for the capacity of the workers to manage their working life.

**SMEs** are frequently left outside of most training and support provision and therefore experience particular difficulties in dealing with organisational, as well as wider economic changes. This clearly represents an unfavourable scenario given the importance of SMEs for jobs and growth in the EU. To address this problem, **the sectoral organisations and the regional authorities** can offer tools and methodologies (e.g. pooling resources) to take account of the time, cultural and financial specificities of SMEs. These interventions not only help to train and support SME employees, but also gave strategic direction to the business, which is a critical step in the positive management of change.



**CONTINUING ACTION**

Companies' **strategic planning** is about monitoring on a permanent basis the situation and probable evolution of the company's economic and financial situation, as well as of technological developments, in the light of broader market, sectoral and societal trends and taking into account the company's position in global supply chains. It is crucial that **human resources, employment and skills considerations are at the heart of this strategic planning**, including by involving closely human resources management (HRM) to the exercise. This translates in a concrete policy of **forward-looking employment and skills planning (employability measures)**.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Strategic long-term monitoring, including at transnational level</b></p> <ul style="list-style-type: none"> <li>• Monitor on a permanent basis the situation and probable evolution of the company's economic and financial situation, as well as of technological developments, in the light of broader market, sectoral and societal trends.</li> <li>• Develop business plan strategies encompassing analysis of sectoral specificities and the identification of the company position in global supply chains.</li> <li>• Put human resources, employment and skills considerations at the heart of strategic planning, including by involving closely HRM to the exercise.</li> </ul> <p><b>On-going mapping of companies' employment and skills needs</b></p> <ul style="list-style-type: none"> <li>• Develop long-term planning of quantitative and qualitative needs ("jobs' observatory") linked to innovation and development strategies.</li> </ul> <p><b>Planning the measures on employment and skills</b></p> <ul style="list-style-type: none"> <li>• Establish a multiannual plan with employees' representatives.</li> <li>• Provide regular information and consultation on the evolution of employment (quantitative and qualitative) and on measures to tackle possible negative or problematic developments.</li> </ul> <p><b>Measures addressed to individual employees</b></p> <ul style="list-style-type: none"> <li>• Flexibility measures: build in long-term flexibility in workforce structure and internal rules for long-term working time flexibility ("working time accounts"); job rotation.</li> <li>• Training measures:             <ul style="list-style-type: none"> <li>• Support to the creation of learning advisers ("learning representatives") to help employees selecting appropriate training;</li> <li>• Develop individual "Bilans de compétences" on a periodic basis (assessment of individual competences and motivations aimed at define or validate the individual training map);</li> <li>• Provide individual training plans (with quantitative targets);</li> <li>• Provide individual learning accounts (accounts aimed at paying for learning at the learner's choice) and training budget;</li> <li>• Prepare training packages in co-operation with external actors (regional authorities, universities/ technological institutes, training centres; training providers, etc.);</li> <li>• Offer educational leave ("Bildungsurlaub") regulated either by law or collective agreement.</li> </ul> </li> </ul>	<p><b>Internal partnership: Employee involvement and collective bargaining</b></p> <p><i>Employee involvement, including at transnational level</i></p> <ul style="list-style-type: none"> <li>• Existence of an effective social dialogue.</li> <li>• Existence of a permanent, regular and effective information and consultation of employees' representatives allowing them to contribute from the start and to set out their views on all aspects of the topic in question and with due attention being paid to the safeguard of the confidentiality of sensitive information) on:             <ul style="list-style-type: none"> <li>• strategic diagnosis and orientations;</li> <li>• the evolution of employment (quantitative and qualitative) and measures to tackle possible negative or problematic developments.</li> </ul> </li> <li>• Investment in the capacity building of the employees' representatives, including with regard to technical skills (economic, financial, industrial, etc.).</li> <li>• Existence of systems of two-way communication and reporting between different levels of employee representation (European, national, regional, site level).</li> <li>• Use of the European work councils (EWCs) for spreading information throughout the whole group structure.</li> </ul> <p><b>Collective bargaining</b></p> <ul style="list-style-type: none"> <li>• Agreement with employees' representatives of concrete procedures for dealing with change and restructuring, as well as human resources, employment and skills issues.</li> <li>• Use, whenever suitable, of transnational company agreements as a tool to define framework procedures for restructuring at European level, while allowing for adaptation to national contexts.</li> </ul> <p><b>External partnerships</b></p> <p><i>Towards regions</i></p> <ul style="list-style-type: none"> <li>• Existence of regular work relationships and partnerships with regional authorities, universities and education and training providers, technological institutes, development agencies and other relevant stakeholders; share with them the long-term strategy.</li> <li>• Participation, contribution and profit from external job and skills observatories.</li> <li>• Participation in partnerships, networks and other initiatives taken at other levels (sectoral, national, etc.).</li> </ul>

<ul style="list-style-type: none"> <li>• Career development measures:             <ul style="list-style-type: none"> <li>• “Career days” (orientation tools on professional careers paths; presented in open days);</li> <li>• “Career corners” (information mechanisms at the disposal of each employee on the evolution of jobs, the measures under way and mobility opportunities);</li> <li>• Develop job rotation measures.</li> </ul> </li> <li>• Other measures:             <ul style="list-style-type: none"> <li>• Integrate new employees (coaching, tutor);</li> </ul> </li> </ul> <p>Participate to apprenticeships and dual study systems.</p> <p><b>Measures aiming at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>• Increase the contractual range of tasks (depending of the competences required: functional flexibility, job enlargement or job rotation).</li> <li>• Identify skills “families”, of the main competences for each and of bridges between them; passports by job families (mobility tool).</li> <li>• Develop internal communication on open vacancies within company or group of companies.</li> <li>• Recognise and validate of knowledge and experience through certification (internal and external).</li> <li>• Create schemes aimed at encouraging and facilitating mobility of workers between companies (Mobility Pools with other companies).</li> </ul> <p><b>Measures to ensure equal treatment and promote diversity</b></p> <ul style="list-style-type: none"> <li>• Equal treatment, diversity and specific targeting of vulnerable groups: reports on equal treatment, promoting access of women to technical occupations and of minority and vulnerable groups to all levels of competence and functions</li> <li>• Monitor the psycho-social health with specific focus on adaptation to change.</li> </ul>	<p><b>Towards the business environment</b></p> <ul style="list-style-type: none"> <li>• Effective mapping and working in anticipation with all stakeholders (particularly the one belonging to the firm’s value chains) which may be impacted by the restructuring and may contribute to reduce its impact.</li> <li>• Effective share of practices with other firms through local sectoral employers organisations.</li> <li>• Attention and support to the whole supply chain.</li> <li>• Creation or participation in Competitivity Centres (associations of businesses, research centres and training organisations; involved in a joined development strategy aimed at creating a synergy around innovating projects).</li> <li>• Creation or participation in mobility centres (centres aimed at encouraging and facilitating mobility namely by assisting the workers and their families during their period of mobility).</li> <li>• Creation or participation in co-operation networks with SMEs.</li> </ul>
---	---

**DURING THE RESTRUCTURING PROCESS**

There are three important steps in the process of managing restructuring within companies in a socially responsible way: firstly, to **build internal consensus** on the need for it; secondly, to **explore all possible options** before envisaging redundancies; thirdly, to **organise and deliver individual and personalised support to employees** whose redundancy cannot be avoided, to increase their chances of re-entering quickly the labour market. These steps are not necessarily chronologically separated, they are often developed simultaneously.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>• Establish a clear business rationale for change and restructuring.</li> <li>• Integrate the restructuring plan in the long-term strategy of the company.</li> <li>• Carry on comprehensive information and consultation of employees’ representatives on envisaged restructuring decisions as early as possible and, in any case, at a time when options are still open and allowing them to contribute to and to set out their views on all aspects of those decisions.</li> <li>• Use to the best EW/CS as a tool of meaningful information and consultation in the event of transnational restructuring and of spreading its results throughout the whole group structure.</li> <li>• Involve external stakeholders (regions, etc.) in the diagnosis leading to restructuring.</li> </ul>	<p><b>Internal resources and procedures</b></p> <ul style="list-style-type: none"> <li>• Existence of agreements at national or transnational level on the management of restructuring and on particular measures.</li> <li>• Openness and strategic mindset which needs to pervade the entire organisation, including its employees</li> <li>• Information and consultation procedures with employees’ representatives on all envisaged measures in the aim to reach a broad consensus on the planned measures.</li> <li>• Agreement with employees’ representatives on the procedure to be followed in particular restructuring situations.</li> <li>• All actors need to be involved on a fair basis.</li> <li>• Guarantees of equal treatment and opportunities for all employees within the company, avoiding the one-size-fits-all bias and involving the middle management as much as possible</li> </ul>

<p><b>Exploring all possible options before redundancies</b></p> <ul style="list-style-type: none"> <li>• Only envisage redundancies as a last resort.</li> <li>• Phase planned measures over time.</li> <li>• Explore alternative solutions: buy-out of the company by the employees, natural departures, notably through retirement or, as a last resort, early retirement, negotiated departures, internal or external redeployment, reduction in work intensification, working time reduction, in-sourcing, professional guidance, help to find another job or to create a business.</li> <li>• Plan rehabilitation and reallocation of industrial sites likely to be abandoned, both as an environmental measure and a way to absorb a proportion of the jobs to be lost.</li> </ul> <p><b>Individual and personalised support to employees</b></p> <ul style="list-style-type: none"> <li>• Set-up an information and advice centre to provide comprehensive information to employees made redundant or threatened by redundancy about the labour market, their rights and the leaving conditions negotiated during the restructuring process.</li> <li>• Create mobility cells and redeployment units within companies (reconversion cells).             <ul style="list-style-type: none"> <li>• <i>training and re-training, redeployment,</i></li> <li>• <i>help in job search (including paid time-off to search for jobs),</i></li> </ul> </li> <li>• <i>counselling and psychological support for both redundant employees and the ones who stay in the company,</i></li> <li>• <i>help create SMEs and co-operatives,</i></li> <li>• <i>pay fair compensation.</i></li> <li>• Monitor the psycho-social health resulting of the restructuring process.</li> </ul>	<p><b>Involvement of external actors</b></p> <ul style="list-style-type: none"> <li>• Use of the established work relationships and partnerships with regional authorities, universities and education and training providers, technological institutes, development agencies and other relevant stakeholders.</li> <li>• Participation in Regional Task Forces (joint task-force to support dismissed employees, foundations for laid-off employees, etc.).</li> <li>• Participation, use or initiation of co-operation networks with SMEs.</li> <li>• Effective follow-up and support the whole supply chain.</li> </ul>
---	--

**AFTER THE RESTRUCTURING OPERATION**

<p style="text-align: center;">ACTIONS</p> <p><b>Evaluation</b></p> <ul style="list-style-type: none"> <li>• Evaluate and re-negotiate process with employees representatives.</li> <li>• Publish an Annual Social and Employment Report with a section dedicated to restructuring.</li> </ul> <p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>• Contribute to the follow-up of redundant employees through their professional careers for a period of time.</li> </ul>
---

## EMPLOYEES' REPRESENTATIVES

Employees' representatives at company and group levels are the **main management counterpart** during restructuring processes. They should nevertheless be involved and participate actively in **all anticipative measures** and permanent mechanisms established by the company, internal and externally. Representing the entire workforce, they are in a unique position to work with the change manager, promote smooth change and restructuring and ensure that employees' interests are safeguarded.

**CONTINUING ACTION**

Employees' representatives at company and group level are irreplaceable counterparts of management in all measures aimed at **anticipating and managing employment and skills needs**. They represent the final beneficiaries of these policies - and are therefore in a privileged position to mobilise them. They have also a deep knowledge and expertise on those issues and can liaise with their external organisations. Their full participation across the whole process of adaptation of change and restructuring and at this early anticipative stage is vital.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Strategic long-term monitoring, including at transnational level</b></p> <ul style="list-style-type: none"> <li>Participate in the permanent monitoring of the situation and probable evolution of the company's economic and financial situation, as well as of technological developments, in the light of broader market, sectoral and societal trends.</li> <li>Participate and contribute to business plan strategies encompassing analysis of sectoral specificities and the identification of the company position in global supply chains.</li> </ul> <p><b>On-going mapping of companies' employment and skills needs</b></p> <ul style="list-style-type: none"> <li>Participate in the identification of new skills needs (quantitative and qualitative) in articulation with innovation and development strategies.</li> </ul> <p><b>Employee involvement in the multiannual plan</b></p> <ul style="list-style-type: none"> <li>Contribute to the employment and skills multi-annual plan.</li> <li>Participate actively in the information and consultation procedures aimed at anticipating the evolution of employment and at adopting measures to tackle problematic developments.</li> </ul> <p><b>Measures addressed to individual employees</b></p> <ul style="list-style-type: none"> <li>Contribute, through negotiation and collective bargaining, to flexible and secure contractual arrangements (long-term working time flexibility/employability/training/career development/mobility).</li> <li>Participate actively in the preparation and adoption of all the individual support measures.</li> <li>Act as "learning advisers" to employees, especially the most vulnerable ones (provide personal advice about learning, careers, courses, qualifications, financial help for learning, etc).</li> <li>Create a stress observatory to monitor the health situation with specific focus on adaptation to change.</li> </ul> <p><b>Measures aimed at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>Contribute, through negotiation and collective bargaining, to increase the contractual range of tasks.</li> <li>Participate and, whenever necessary or appropriate, negotiate all the mobility measures envisaged.</li> </ul> <p><b>Measures to ensure equal treatment and promote diversity</b></p> <ul style="list-style-type: none"> <li>Participate in the definition, negotiation and implementation of the equal treatment, anti-discrimination and support to vulnerable groups policies.</li> </ul>	<p><b>Internal partnership: Employees involvement and collective bargaining</b></p> <p><i>Participation in employees' involvement procedures, including at transnational level</i></p> <ul style="list-style-type: none"> <li>Make the point on the importance of putting employment and skills issues at the heart of the company's strategic planning and decisions.</li> <li>Existence of own mechanisms of monitoring the company's economic and financial situation and probable evolution and contribute to the process of information, consultation and diagnostic sharing on strategic issues, on the basis of independent analysis capacity.</li> <li>Participation in strategic and specific decision-making within the company as well as in all information and consultation procedures related to forward-looking employment and skills planning.</li> <li>Investment on action through EWCs as a means to develop a broad knowledge; disseminate it through all the levels of the group through formal and informal networks and mechanisms.</li> <li>Promotion in general of the exchange of information between company representatives and national representatives – trade unions offices at different levels of the company, cross-union co-operation and representatives at different levels (European, national and site level).</li> <li>Existence of mechanisms to build capacity of intervention through training on economic, financial and industrial issues for all representatives, as well as through external expertise.</li> <li>Investment of time and resources in vulnerable categories of employees (women, young, disabled, older, etc.).</li> <li>Guarantees of equal treatment and opportunities for all employees within the company, avoiding the one-size-fits-all bias and involving the middle management as much as possible.</li> </ul> <p><b>Collective bargaining</b></p> <ul style="list-style-type: none"> <li>Engagement into agreements with the company GPEC-type (HR, employment/skills and restructuring planning); introduce employment/skills issues in anticipation agreements.</li> <li>Effective use, wherever appropriate, international company-level agreements for the purposes above.</li> </ul> <p><b>External partnerships</b></p> <p><i>Towards regions</i></p> <ul style="list-style-type: none"> <li>Participation in regional partnerships and networks, including job and skills observatories.</li> <li>Participation in similar initiatives taken by other levels (sectoral, national, etc.).</li> </ul> <p><b>Towards the business environment</b></p> <ul style="list-style-type: none"> <li>Establishment of working relationships and exchanges with representatives of supply chains.</li> <li>Participation in measures aimed at supporting the surrounding business environment.</li> <li>Development of transnational networking exchanges.</li> <li>Encouragement of actions towards employees of subcontractors in a framework of restructuring.</li> </ul>

**DURING THE RESTRUCTURING PROCESS**

Employees' representatives have a crucial role to play in the three main steps of restructuring processes: consensus-building, exploring all possible options before redundancies and giving personalised support to workers made redundant.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>• Built with management a shared diagnosis and contribute to its dissemination at all levels.</li> <li>• Participate and contribute to management actions aimed at informing and consulting employees' representatives on the justification for and the envisaged content of restructuring measures.</li> <li>• Use the EWC as a forum and the European Union Federations as a resource of competence and knowledge in the case of transnational restructuring operations.</li> <li>• Agree on company specific procedures for dealing with particular restructuring situations.</li> </ul> <p><b>Exploring all possible actions before redundancies</b></p> <ul style="list-style-type: none"> <li>• Participate fully in discussions with management on possible alternatives to redundancies.</li> <li>• Engage into EU-level framework agreements for managing restructuring in cooperation with the EWC and the help of national and European Union Federations.</li> <li>• Engage into negotiations with management on the content of possible alternative options.</li> <li>• Exchange into experiences and ideas through networking with the local actors, European representatives and other representatives across the value-chain.</li> </ul> <p><b>Individual and personalised support to redundant employees</b></p> <ul style="list-style-type: none"> <li>• Contribute to the information and advice centre.</li> <li>• Contribute, including through negotiation and agreements if applicable, to the definition and implementation of all mechanisms of support to individual employees likely to be made redundant.</li> <li>• Follow up of employees made redundant until they have found a new job.</li> </ul>	<p><b>Internal resources and procedures</b></p> <ul style="list-style-type: none"> <li>• Knowledge of the different instruments and resources available and participation at training sessions followed by communication with the workers.</li> <li>• Explore to the most the information/consultation and negotiation instruments both on the procedural aspects of management of restructuring and on particular measures.</li> <li>• Openness and strategic mindset which needs to pervade the entire organisation, including its employees and their representatives.</li> <li>• Improvement and promotion of coherence among the point of view of the different employees' representatives.</li> </ul> <p><b>Involvement of External Actors</b></p> <ul style="list-style-type: none"> <li>• Participation in external partnerships, in broader networks and in mechanisms and structures aimed at delivering support to individual workers (e.g. Regional Task-Forces).</li> <li>• Promotion of the integration of the whole supply chain in the preparation and management of restructuring processes.</li> </ul>

**AFTER THE RESTRUCTURING OPERATION**

ACTIONS
<p><b>Evaluation</b></p> <ul style="list-style-type: none"> <li>• Evaluate the effects of restructuring and re-negotiate agreements if necessary.</li> <li>• Monitoring of the efficiency of social measures of restructuring.</li> <li>• Contribute and give an opinion on the Annual Social and Employment Report.</li> </ul> <p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>• Contribute to the follow-up of employees made redundant through their professional careers for a period of time.</li> </ul>

## EMPLOYEES

Employees are, together with companies, the main actor of the restructuring process – and at the same time, very often, the main victims of restructuring. Without prejudice to the specific responsibilities of the other actors in creating the whole set of conditions that will give employees a real opportunity to find their way through those processes, the success of any effort to minimise the social cost of restructuring depends, as far as employees' responsibility is concerned, on:

- Their own initiative, dynamism and positive attitude at all times and not only when restructuring or the loss of the job is a concrete perspective.
- Their capacity to collect the information that will help them understand the situation (if possible in advance of particular restructuring events) and to use adaptation tools.
- Their proximity with their representatives at all levels.
- Their capacity to be employable and mobile and to make possible professional transitions.
- Frameworks and actions in place in order to support employees in strengthening their **employability**.

For this group of actors, it is especially necessary to emphasise that enabling **frameworks and institutional** contexts are a major factor in their ability to taken action.

The possibilities offered to the employees in term of training and support can be quite different according to employee's categories (temporary agency workers, temporary workers, etc.) and also to the size of the companies.

**CONTINUING ACTION**

Employees have a major role in developing their competences and skills to reinforce their capacity to adapt (employability). The other actors should actively work to establish the framework conditions and institutions necessary for employees to engage in actions to achieve these goals.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>On-going mapping of employment and skills needs</b></p> <ul style="list-style-type: none"> <li>• Develop mobility competence and capacity to adapt.</li> <li>• Participate in and follow closely, directly and through their representatives, the mapping of the company's future skills needs as well as the evolution of employment and skills needs in the region.</li> </ul> <p><b>Multiannual plans on employment and skills at company and regional level</b></p> <ul style="list-style-type: none"> <li>• Contribute to the multiannual plan, directly and through their representatives.</li> <li>• Keep actively and permanently informed about the foreseeable evolution of employment within the company and the region and on measures envisaged to tackle possible problematic developments.</li> </ul> <p><b>Measures addressed to individual employees</b></p> <ul style="list-style-type: none"> <li>• Flexibility measures: be open to occupational and working-time evolution and flexibility.</li> <li>• Training measures:             <ul style="list-style-type: none"> <li>• Be open to skill upgrade.</li> <li>• Exercise the right to education and training and accept the corresponding obligation to receive education and training.</li> <li>• Use the individual learning account.</li> <li>• Invest in lifelong learning and continuous vocational training.</li> </ul> </li> <li>• Career development measures:             <ul style="list-style-type: none"> <li>• Create a CV; monitor internal career opportunities.</li> <li>• Use Internet tools for information on business, employment and skills evolution within the company and the region.</li> <li>• Go to a job counsellor; ask for an assessment with someone from company on skills needs and your skills gap in view of training ("bilan de compétences").</li> <li>• Work on personal or professional project.</li> <li>• Develop social competences.</li> <li>• Ask for regular assessment of work and performance and discuss career.</li> <li>• Use all available tools of orientation, career guidance and mobility opportunities outside the company for the purposes of individual career planning.</li> </ul> </li> </ul> <p><b>Measures aiming at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>• Be available for contractual polyvalence.</li> <li>• Use internal information tools for internal mobility and transfers.</li> <li>• Request certification of formal and informal learning.</li> <li>• Search actively information on future job opportunities (via local job centres, mobility pools, etc.).</li> <li>• Measures to ensure equal treatment and promote diversity</li> <li>• Contribute to and keep informed on the implementation of the equal treatment, anti-discrimination and support to vulnerable groups policies</li> </ul>	<p><b>Internal partnership: employees involvement and collective bargaining</b></p> <p><b>Employee involvement, including at transnational level</b></p> <ul style="list-style-type: none"> <li>• Settle conditions for the promotion of social dialogue.</li> <li>• Permanent contact with employees' representatives on the company's strategic issues.</li> <li>• Regular information available on the company/ sector/ local economic environment.</li> </ul> <p><b>Collective bargaining</b></p> <ul style="list-style-type: none"> <li>• Information available about existing agreements and procedures for dealing with change and restructuring, including those concluded by management and employees' representatives at transnational level.</li> </ul> <p><b>External partnerships</b></p> <ul style="list-style-type: none"> <li>• Information available on future employment, educational and training opportunities (with local and national authorities).</li> <li>• Open participation for all in initiatives organised by regional bodies aimed at boosting employment opportunities and skills.</li> </ul>



**DURING THE RESTRUCTURING PROCESS**

Many of the actions to be taken on a permanent basis are also useful when restructuring becomes a reality. Employees who engage themselves proactively in those permanent actions are better prepared to face the risk of unemployment and to return quickly to the labour market. In addition to those permanent actions, some others are very useful when restructuring occurs.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>• Seek information on company strategy and labour market developments.</li> <li>• Seek information on the company's evolution and possible restructuring plans.</li> <li>• Keep in close contact with your representatives and participate actively in information, consultation and dissemination procedures.</li> </ul> <p><b>In the framework of possible options before redundancies</b></p> <ul style="list-style-type: none"> <li>• Develop an individual action plan for job search (new job within company, new job within other companies, new job within other place, etc.) and be open for movement within/between companies.</li> <li>• Request for individual meetings with your manager before the negotiation of the social package (to define the best package for your repositioning).</li> <li>• Get involved in the management of the restructuring (psychological effect).</li> <li>• Ask for coaching during the whole restructuring process.</li> <li>• Ask for training for job application, career counselling and specific training in line with job offers.</li> <li>• Use "training leave"</li> </ul> <p><b>Use individual support to employees</b></p> <ul style="list-style-type: none"> <li>• Keep in contact with employee's representatives about plan and process of restructuring.</li> <li>• Keep in contact with "redeployment units" or "reconversion cells" (cell set up inside the company with a group of person to follow the workers made redundant) when they exist.</li> <li>• Register to labour exchange office (job centre) to obtain information for job offers.</li> <li>• Request employer assistance in the period before redundancy (paid time-off to search for jobs; on-site facilities/ support).</li> <li>• Ask for training during unemployment periods.</li> <li>• Practise interview techniques.</li> <li>• Take basic skills courses immediately after redundancy.</li> <li>• In case of potential geographical mobility or transfer, seek placement assistance for other family members.</li> <li>• Explore the possibility of "employment cooperatives" (which give collective support to people starting their own businesses) to start an autonomous activity.</li> <li>• Join multi employer's organisation (employer's associations, job pools, mobility pools, skill pooling wage portage, etc.).</li> <li>• Check financial offers from public institutions for training qualifications.</li> </ul>	<p><b>Resources and procedures</b></p> <ul style="list-style-type: none"> <li>• Understandable information on legal and conventional landscape on restructuring rules.</li> </ul> <p><b>Involvement of external actors</b></p> <ul style="list-style-type: none"> <li>• Be able to participate in a job creation scheme set up by the authorities.</li> </ul>

**AFTER THE RESTRUCTURING OPERATION**

ACTIONS
<p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>• Participate in enquiries on your career evolution.</li> </ul>

## SOCIAL PARTNERS AND SECTORAL ORGANISATIONS

Social partners represent employers and workers at interprofessional and sectoral level. They play a key role in anticipating and managing change. Their **capacity to intervene at all levels** (local, regional, national European) through social dialogue and collective bargaining mechanisms puts them in a privileged position to co-ordinate actions aimed at stimulating and developing social tools for anticipating and managing restructuring. They are important actors in the creation of social innovation, economic and social progress, solidarity, social inclusion and good quality employment practices at all levels (enterprise, sector, regions). The creation of guarantee, training and job security funds by collective agreement is a particularly innovative practice being developed in recent years.

**CONTINUING ACTION**

Social partners' and sectoral organisations have a major role to play in **anticipating structural change and the evolution of employment and skills needs**. Their action – in particular at sectoral level – can frame or supplement actions taken at company, national and regional level.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>On-going mapping of employment and skills needs</b></p> <ul style="list-style-type: none"> <li>Participate to the establishment and management of appropriate early warning tools and relevant mechanisms for the anticipation or preparation of restructuring at national, regional and sectoral level.</li> <li>Set up at sectoral level frameworks to observe macro-economic changes and define common social and employment objectives.</li> <li>Be mobilised on a long term prospective reflexion on the evolution of employment, jobs and skills at sectoral and regional level, for example, by actively participating in sectoral and territorial observatories in these areas.</li> <li>Favour exchange and promote negotiation on innovation and new skill needs in economic sectors, encourage negotiation in this field.</li> </ul> <p><b>Elaboration of frameworks and workers' involvement</b></p> <ul style="list-style-type: none"> <li>Develop and reframe specific collective bargaining instruments to accompany restructuring: promote collective bargaining in this field at European, national, sectoral, regional, local and company level.</li> <li>Develop mechanisms of mutualisation of risks related to job losses themselves (guarantee, training and job security funds) or in co-operation with public authorities.</li> <li>Enter into regular negotiation (bipartite or multipartite) on the procedures to anticipate and manage change and restructuring.</li> <li>Establish guidelines to anticipate restructuring at sectoral, national and company-level.</li> </ul> <p><b>Measures addressed to individual workers</b></p> <ul style="list-style-type: none"> <li>Support the creation of a grant for redeployment and/or the setup of a redeployment unit or job centre to have a clear diagnosis of the professional future of each worker.</li> <li>Set up or contribute to national, regional and company-level skills development programmes and promote bottom-up processes for individual employees.</li> <li>Support the creation of vocational vouchers to workers in order to increase their employability.</li> <li>Link occupational training to the promotion of the quality of work for each individual.</li> <li>Raise awareness of individuals on the importance of anticipation, especially for the most vulnerable ones.</li> <li>Support personalized measures.</li> </ul> <p><b>Measures aiming at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>Facilitate and make secured the professional paths and transition between employment periods inside and outside the enterprise, especially in the framework of collective agreements.</li> <li>Conclude agreement on acquired competences ("skills passport")</li> <li>Promote innovative social measures for improving internal and external mobility of workers (e.g. developing personal/family support services).</li> </ul> <p><b>Measures to ensure equal treatment and promote diversity</b></p> <ul style="list-style-type: none"> <li>Take into account existing differentiation between workers' statuses to avoid discrimination and address the issue of re-skilling or up-skilling of vulnerable employees.</li> <li>Promote equality of treatment.</li> <li>Favour the access and the return to employment of vulnerable groups (low-skilled, temporary employees, part-time employees, etc.).</li> </ul>	<p><b>Internal partnerships &amp; social dialogue: Workers' involvement and collective bargaining</b></p> <ul style="list-style-type: none"> <li>Favourable conditions for the promotion of social dialogue.</li> </ul> <p><b>Workers' involvement</b></p> <ul style="list-style-type: none"> <li>Co-ordination of the role and operation of company-level representatives, including at European level (EWCs) and in general, of lower level organisations.</li> </ul> <p><b>Collective bargaining</b></p> <ul style="list-style-type: none"> <li>Coordination of the role of different actors at different levels: national, regional or sectoral.</li> <li>Framing, through sectoral or interprofessional collective bargaining, of transnational agreements at company level on the anticipation and management of restructuring and promotion of the involvement of workers' representatives (including EWCs) in the implementation of such agreements.</li> <li>Negotiation of collective agreements on the creation of mechanisms of mutualisation of risks related to job losses (guarantee, training and job security funds) or participation in similar mechanisms created by public authorities (at national, regional or sectoral level).</li> <li>Development of sectoral procedural agreements on the anticipation and management of change (sectoral observatories, skills councils, etc.).</li> </ul> <p><b>External partnerships</b></p> <p><i>With the business environment</i></p> <ul style="list-style-type: none"> <li>Anticipation mindset in the attitudes and behaviours of company managers and representatives of SMEs.</li> <li>Situation and characteristics of SMEs taken into account.</li> <li>Situation where the assistance to SMEs is encouraged.</li> <li>Discussion at local labour market level promoted and cooperation with employment agencies.</li> <li>Strong partnership at sectoral level.</li> </ul> <p><i>With regions</i></p> <ul style="list-style-type: none"> <li>Company-level and sectoral social dialogue and collective bargaining open to regional and local authorities, employment agencies, and other relevant regional stakeholders; transparent on long-term strategy.</li> <li>Development of concerted action on the territory and promotion of tripartite or quadripartite agreements (regional authorities, social partners, enterprise) on anticipation.</li> <li>Promotion of skills development policies with the professionals of the sector and encouragement in the conclusion of interprofessional regional framework agreements covering also SMEs.</li> </ul> <p><b>At European level</b></p> <ul style="list-style-type: none"> <li>Existence of a framework of reference for anticipating change and restructuring (interprofessional and sectoral).</li> <li>Existence of an analysis framework on employment and skills evolution at sectoral level.</li> <li>Existence of sectoral partnerships at European level and dialogue at European level (e.g. joint programmes, agreements and joint action programmes/frameworks).</li> </ul>

**DURING THE RESTRUCTURING PROCESS**

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>• Share understanding of economic context and diagnosis among members and affiliates and with all stakeholders.</li> <li>• Agree on a clear business rationale for change and restructuring.</li> <li>• Promote multi-stakeholder communication, networking and governance.</li> </ul> <p><b>Explore and negotiate all possible options to avoid redundancies</b></p> <ul style="list-style-type: none"> <li>• Facilitate the setting up of a European coordination of trade unions for helping the EWCs in its preventive and proactive role.</li> <li>• Encourage EU level negotiation in case of transnational restructuring.</li> <li>• Help companies and employees identify and understand the full range of alternative options.</li> <li>• Frame and develop the dynamic of negotiation on all measures envisaged to face restructuring.</li> <li>• Foresee specific collective measures for SMEs.</li> <li>• Support research for diversification and innovation (change the production and organisation of work), encourage the adaptation of workers' skills to the new technologies.</li> <li>• Develop consultation and negotiation proceedings for adapting to change based on the implementation, by collective bargaining, of professional transition policies.</li> <li>• Ensure technical support of trade unions and employers federations to their members.</li> </ul> <p><b>Support redundant workers individually</b></p> <ul style="list-style-type: none"> <li>• Support internal mobility cells ("cellules de reconversion").</li> <li>• Support the implementation of local mobility platforms (shared by several companies – notably SME - at the level of an employment zone). This platform of mobility or of professional transition is not linked to a company or a sector, and need to be multi-actors.</li> <li>• Set up Psycho-social help lines.</li> <li>• Develop sectoral training funds for redeployment.</li> <li>• Develop measures in favour of geographical mobility, e.g. housing grants, mobility allowances.</li> <li>• Implement functional mobility measures based on qualitative needs of companies.</li> <li>• Elaborate toolkits helping people to adapt to unemployment/re-employment.</li> </ul>	<p><b>Internal resources and procedures</b></p> <ul style="list-style-type: none"> <li>• Negotiation of agreements at all levels with articulation and social coherence between them.</li> </ul> <p><b>Involvement of external actors</b></p> <ul style="list-style-type: none"> <li>• Cooperation between all the stakeholders: territorial authorities, private agencies, NGOs.</li> <li>• Cooperation with governments to remove barriers (more flexibility during crisis).</li> <li>• Development of networks in favour of SMEs.</li> <li>• European level: definition of reference frameworks for managing restructuring.</li> </ul>

**AFTER THE RESTRUCTURING OPERATION**

ACTIONS
<p><b>Evaluation</b></p> <ul style="list-style-type: none"> <li>• Monitor post-restructuring process.</li> <li>• Promote the exchange of good practices all between actors.</li> <li>• Monitor current practices to minimise social costs and disseminate best ones.</li> <li>• Follow up the application of agreements (at all levels).</li> </ul> <p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>• Contribute to the follow-up workers made redundant through their professional careers for a determined period of time.</li> </ul>

## REGIONAL AUTHORITIES

Alongside national governments, regional authorities have a major role to play in the **co-ordination of the work of stakeholders who** intervene in each region through restructuring operations or are engaged in the processes of anticipating them (companies, employees' representatives, social partners and industry organisations, regional development agencies, education and training institutions, individual employees, etc.).

Another task that falls under the responsibility of regional authorities relates to the **promotion of regional development and economic and social reversion** of regions likely to be or already affected by severe restructuring.

It seems important in that regard that regions create a **Regional Task Force** (a body involving all stakeholders interested in employment in the region) and train "**Change Managers**" who will act as animators of all the economic, social and institutional actors around those two objectives.

The efficiency of anticipation processes developed by the actors is different according to the time they have for acting in a strategic and effective way. An early diagnosis contributes to an effective anticipation, while a late (or mistaken) diagnosis hinders the possibilities of both strategic and operational anticipation. Time is indeed an essential factor.

**CONTINUING ACTION**

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>On-going mapping of companies' employment and skills needs</b></p> <ul style="list-style-type: none"> <li>• Set-up regional observatories of economic change, employment and skills.</li> <li>• Collect data for planning at regional level.</li> <li>• Establish regional intelligence units to monitor the economy and create advance warning systems.</li> <li>• Establish regular work relationships with big companies to collect information on strategic plans having an impact on the regional economy and an exchange on regional development perspectives.</li> <li>• Survey available competencies.</li> <li>• Set-up a club of HRM managers on management of change.</li> </ul> <p><b>Multiannual business, employment and skills plan</b></p> <ul style="list-style-type: none"> <li>• Promote and support regional development:</li> <li>• perform Strengths-Weakness-Opportunities-Threats (SWOT) analysis of regional economy</li> <li>• promote the territory for new investors,</li> <li>• identify innovative leading sectors in the area,</li> <li>• analyse the local labor market in terms of employment risks,</li> <li>• convene actors to establish shared diagnosis,</li> <li>• create skills planning partnerships,</li> <li>• carry out environmental audits to see whether it is possible to create new jobs in environmental projects,</li> <li>• consider special economic zones,</li> <li>• support local business creation,</li> <li>• provide funds for research &amp; development (R&amp;D),</li> <li>• consider public subsidies for green jobs.</li> <li>• Keep informed about companies' plans concerning the evolution of employment.</li> </ul> <p><b>Measures addressed to individual employees</b></p> <ul style="list-style-type: none"> <li>• Assist with accreditation of formal and informal learning.</li> <li>• Promote regional lifelong learning policies.</li> <li>• Propose adaptation credits for training.</li> </ul> <p><b>Measures aiming at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>• Create databases employer's needs for flexible workforce</li> <li>• Match workers with employers.</li> </ul>	<p><b>Internal partnerships</b></p> <p><i>Within the region</i></p> <ul style="list-style-type: none"> <li>• Existence of permanent bodies at local level to monitor change: a Regional Task Force and "Change Managers".</li> <li>• Established Territorial employment pacts (stakeholder partnerships to maintain employment).</li> <li>• Established regional public-private partnerships to monitor and address restructuring.</li> <li>• Reinforced institutional regional structure for competences and skills.</li> <li>• Reinforced legitimacy of the regional observatories.</li> <li>• A perspective going beyond the traditional actors, e.g. consulting with local population.</li> </ul> <p><b>Towards the business environment</b></p> <ul style="list-style-type: none"> <li>• Promotion of private-public partnership to anticipate economic change.</li> <li>• Cooperation with universities, higher education and R&amp;D institutes.</li> <li>• Provision of training for SMEs on employment and skills planning.</li> <li>• Clusters (e.g. large companies and suppliers) identified.</li> <li>• Support for dialogue between large companies and SMEs.</li> <li>• Support for competitiveness pools (enterprise clusters) and technological platforms (joint undertakings for R&amp;D) and R&amp;D promotion tools.</li> </ul> <p><b>External responsibilities and partnerships</b></p> <ul style="list-style-type: none"> <li>• Participation in exchanges of good practices at national and European levels.</li> </ul>

**DURING THE RESTRUCTURING PROCESS**

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>Establish an early warning system.</li> <li>Convene actors to establish a shared diagnosis.</li> <li>Make an impact assessment of restructuring involving all local partners.</li> </ul> <p><b>Explore all possible options before redundancies</b></p> <ul style="list-style-type: none"> <li>Support takeovers of sustainable parts of the restructured company and the creation of new enterprises.</li> <li>Support takeovers of enterprises in crisis or without heirs by the employees</li> <li>Establish mobile reconversion unit (a cooperative unit for the redeployment of workers, especially for SMEs).</li> <li>Promote the territory for new investors or consolidating local units.</li> <li>Support the search for new users for abandoned facilities.</li> <li>Facilitate mediation.</li> </ul> <p><b>Support employees made redundant individually</b></p> <ul style="list-style-type: none"> <li>Training measures:           <ul style="list-style-type: none"> <li>create portals for occupational guidance and training;</li> <li>promote training through public reconversion cells;</li> <li>support the development and provision of training courses (dedicated, for example, to basic skills, job search and entrepreneurship).</li> </ul> </li> <li>Mobility measures:           <ul style="list-style-type: none"> <li>set-up platforms for mobility, retraining and economic development;</li> <li>create common outplacement platforms for SMEs and social enterprises;</li> <li>support employees co-operatives and new enterprises;</li> <li>organise one Stop-Shop information and guidance events (where employees can gather all information from one single source);</li> <li>promote geographical mobility (transport/housing/child care) by funding or co-funding individual mobility actions;</li> <li>support the creation of job pools by employers' groups;</li> <li>create resource centres for unemployed;</li> <li>connect dismissed workers with companies needing competences.</li> </ul> </li> </ul> <p><b>Measures to ensure equal treatment and promote diversity</b></p> <ul style="list-style-type: none"> <li>Prevent isolation of employees by creating social networks.</li> <li>Provide training to employees on short-term and part-time work as well as particularly vulnerable groups.</li> </ul>	<p><b>Resources and procedures</b></p> <ul style="list-style-type: none"> <li>Use of the Regional Task Force when restructuring occurs as a means to mobilise all the actors and resources.</li> <li>Provision of financial support where justified.</li> <li>Support of guarantees and bank loans to SMEs.</li> <li>Sources of EU/national/other funding to support job creation initiatives identified.</li> <li>Coordination of applications to EGF and other European/national funds.</li> <li>Funding of workers' representatives' support actions.</li> <li>Financing of a regional structure/network of coordination.</li> <li>Coordination of the various devices aimed at organising job transitions.</li> <li>Establishment of rapid response services.</li> <li>Quick response capacity to regulatory demands from actors.</li> </ul> <p><b>Involvement of external actors</b></p> <ul style="list-style-type: none"> <li>Support for innovative SMEs.</li> <li>Support systems for SMEs including access to credit, training, subsidies, consultancy.</li> <li>Existence of multi-stakeholder platforms (professional transition contracts).</li> <li>Support for co-operation between Public Employment Services and private employment agencies.</li> <li>Mechanisms to put existing cross-border networks at the disposal of those involved in outplacement or secondment initiatives.</li> </ul>

**AFTER THE RESTRUCTURING OPERATION**

ACTIONS
<p><b>Evaluation</b></p> <ul style="list-style-type: none"> <li>Evaluate restructuring measures and publish results.</li> <li>Analyse management of restructuring and launch a steering organisation for the management of the future restructuring cases.</li> <li>Revise regional development strategy in the light of restructuring experience and impact.</li> </ul> <p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>Carry on long term evaluation of the redundant employees' careers.</li> <li>Create database for time-series studies on managed career paths.</li> </ul>

## NATIONAL AUTHORITIES

Even if the main actors of restructuring processes are companies, their employees and social partners, public authorities have an important role to play. They shape the relevant legal framework, they define and pursue employment policy goals, they manage important forecast tools, they possess the institutional capacity to help employees (through education and training institutions, job centres, etc.) and they manage substantial financial resources that can be allocated to meet the needs of restructuring companies and their employees. Other government-led tools are mediation, forecast tools and incentive schemes. A major contribution from governments consists in establishing or supporting the creation of risk mutualisation mechanisms (guarantee, training and job security funds)..



**CONTINUING ACTION**

Governments and national public administrations are in a position to help the other actors to conceive and develop forward-looking employment and skills planning mechanisms. Successful restructuring is not possible without a strong foundation established by government action across the spectrum of national policies. A supportive legal, regulatory, and financial environment is necessary.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>On-going mapping of employment and skills needs</b></p> <ul style="list-style-type: none"> <li>• Set-up national employment and skills observatories in cooperation with the relevant actors (sectors and regions).</li> <li>• Coordinate and support (including with funding) sectoral and regional observatories.</li> <li>• Develop forecast and foresight tools on employment and skills needs.</li> <li>• Create tools for efficient exchange of labour market information.</li> </ul> <p><b>Elaboration of a multiannual plan</b></p> <ul style="list-style-type: none"> <li>• Create or develop a legal framework favouring anticipation of change and restructuring.</li> <li>• Elaborate a national operational planning of employment and skills.</li> <li>• Match education and training opportunities offered by institutions to the needs of companies and sectors.</li> <li>• Encourage “forward-looking management of employment and skills” plan within companies.</li> <li>• Create a nation-wide guarantee fund with contributions from companies that finances employee adaptation (before or after redundancies) through revenue support, training and other active labour market measures; alternatively, support the creation of such mechanisms at regional level or by the social partners.</li> </ul> <p><b>Measures addressed to individual employees</b></p> <ul style="list-style-type: none"> <li>• Reinforce active labour market policies.</li> <li>• Offer future-oriented qualifications plans.</li> <li>• Develop national Life Long Learning (LLL) strategies.</li> <li>• Support competence development with a special focus on generic skills and competences.</li> <li>• Offer career counselling services, as well as individual learning accounts.</li> <li>• Promote combination of short-time work with active measures as an alternative to redundancies.</li> <li>• Monitor psycho-social health and develop preventive actions.</li> <li>• Finance or co-finance with companies and other stakeholders the measures above.</li> </ul> <p><b>Measures aiming at promoting internal and external mobility</b></p> <ul style="list-style-type: none"> <li>• Develop national policy and incentives to promote geographical and occupational mobility.</li> <li>• Develop legal and operational frameworks for professional transitions.</li> <li>• Create systems of skills certification and transferability.</li> <li>• Make vocational training accessible to all, in particular, to low-skilled employees.</li> <li>• Finance and support qualification schemes.</li> </ul> <p><b>Measures to ensure equal treatment and promote diversity</b></p> <ul style="list-style-type: none"> <li>• Develop adequate equality and anti-discrimination policies and programmes, as well as measures focussed on particularly vulnerable groups.</li> </ul>	<p><b>Internal partnership</b></p> <p><b>Employee involvement and collective bargaining</b></p> <ul style="list-style-type: none"> <li>• Support in all forms of negotiation and collective bargaining on anticipation of change and restructuring, as well as, on forward-looking employment and skills planning at national, sectoral and company levels.</li> <li>• Support, through legislative action and through other means, in all forms of anticipative employee involvement at company level.</li> </ul> <p><b>External partnerships</b></p> <p><b>Towards regions</b></p> <ul style="list-style-type: none"> <li>• Promotion of cooperation among the actors in regions (revitalisation before and during restructuring).</li> <li>• Division of roles and efficient cooperation frameworks between the relevant public and private actors.</li> <li>• Support to regional initiatives aimed at creating mechanisms of anticipation of change and restructuring, support to employment and skills planning and risk mutualisation.</li> <li>• Reinforcement of intra-governmental co-operation (Employment, Finance, Industry, Trade, Regional Development departments).</li> <li>• Reinforcement of the legitimacy of the regional observatories.</li> </ul> <p><b>Towards the business environment</b></p> <ul style="list-style-type: none"> <li>• Promotion of social dialogue, collective bargaining and tripartite mechanisms for dealing with both strategic and specific issues.</li> <li>• Promotion of efficient entrepreneurship and SMEs policies in the fields above.</li> <li>• Launch of national productivity and workplace improvement programmes.</li> <li>• Improvement of the collaboration between actors to develop training (common structures/bodies).</li> <li>• Cluster’s development.</li> </ul> <p><b>European level</b></p> <ul style="list-style-type: none"> <li>• Coordination of the regional, national and European levels (Structural Funds).</li> <li>• Mobilisation of all forms of assistance and effective absorption of Structural Funds according to priorities in line with the objectives above.</li> <li>• Participation in or support to the exchange of good practices at European level.</li> </ul>

**DURING THE RESTRUCTURING PROCESS**

An adequate legal and operational framework for occupational transition, partnerships and governance is an essential tool.

ACTIONS	CONDITIONS OF SUCCESS AND ENABLING FRAMEWORK
<p><b>Shared diagnosis</b></p> <ul style="list-style-type: none"> <li>• Collect data on dismissals at national, regional and sectoral level.</li> <li>• Monitor the impact of restructuring in specific sectors and regions more severely affected.</li> <li>• Support early warning systems put in place at regional level.</li> </ul> <p><b>Explore and negotiate all possible options before redundancies</b></p> <ul style="list-style-type: none"> <li>• Promote and contribute to the economic revitalization of regions severely affected by restructuring.</li> <li>• Monitor social plans (measures offering alternatives to dismissal, assistance in arranging re-employment and compensation) and accompaniment measures with a view to helping employees likely to be made redundant.</li> <li>• Reinforce public employment services and focus their work on the most affected.</li> <li>• Create through legislation outplacement programs and structures.</li> <li>• Promote direct job creation.</li> <li>• Create mechanisms of mutualisation of risks and actions.</li> <li>• Support takeovers of enterprises in crisis or without heirs by the employees</li> </ul> <p><b>Support redundant employees individually</b></p> <ul style="list-style-type: none"> <li>• Facilitate access to financial and administrative tools.</li> <li>• Support the setting-up of local outplacement or mobility platform: encourage the involvement of PES and the use of the active labour market policy (ALMP).</li> <li>• Facilitate mobility of workers made redundant through severance benefits and allowances to reduce the impact of possible wage losses.</li> <li>• Deliver unemployment benefits for vulnerable groups of workers (women, young, low income, etc.).</li> <li>• Develop a labour market-oriented migration policy (focus on qualification).</li> <li>• Tailor and rapidly adjust actions to find work for workers made redundant.</li> <li>• Develop entrepreneurial training with a view to help workers made redundant to create SMEs.</li> <li>• Offer incentives to create jobs for SMEs/self-employed.</li> </ul>	<p><b>Resources and procedures</b></p> <ul style="list-style-type: none"> <li>• Development of regulation on specific restructuring tools (e.g. redeployment cells).</li> <li>• Creation and/or support to “restructuring taskforces” in affected regions to co-ordinating the actions of all relevant actors (PES, social security institutions, training centres, etc.).</li> <li>• Facilitation of “strategic” partnership between business community, local-regional authorities and training-education institutions.</li> <li>• Involvement of PES (public employment services) in the implementation of local platforms for workers made redundant.</li> <li>• Creation of mechanisms for compensation and aid to help subcontractors or population affected.</li> <li>• Creation of job security councils.</li> <li>• Co-ordination of the actors (shared understanding, support policies, monitoring and follow-up).</li> <li>• Consultation on a constant basis with SMEs representatives.</li> <li>• Promotion of clusters of SMEs to face together restructuring challenges.</li> </ul> <p><b>Involvement of external actors</b></p> <ul style="list-style-type: none"> <li>• Focus on the compliance of the national law with the EU directives on restructuring.</li> <li>• Co-ordination of the national and European levels (Structural Funds).</li> <li>• Effective use of Structural funds according to priorities in line with the established objectives.</li> <li>• Participation in or support to exchange of good practices at European level.</li> </ul>

**AFTER THE RESTRUCTURING OPERATION**

ACTIONS
<p><b>Evaluation</b></p> <ul style="list-style-type: none"> <li>• Exchange experience with other countries.</li> <li>• Exchange best practices at national level.</li> <li>• Evaluate 6 months and 2 years after restructuring.</li> <li>• Develop information tools (brochures, promotional materials, etc.).</li> </ul> <p><b>Follow-up of redundant employees</b></p> <ul style="list-style-type: none"> <li>• Instruct the public employment services to follow redundant employees over a period of time.</li> </ul>

## FOLLOW UP

The abundance of the discussions during the workshop organised on 11 February 2009, in Brussels, showed that this checklist should be broadly disseminate and discussed with other European experts.

Therefore the European Commission have planed three actions to be undertaken in a near future to exchange views and to complete the fiches presented:

1. The launch in April 2009 of 27 national seminars on restructuring. The seminars will be organised in all the 27 Member States from April 2009 to June 2010 and will **aim at providing a detailed and comprehensive overview of the existing mechanisms and practices of anticipation and management of change in each Member State (at national, regional and local level). Moreover, they are expected to examine the effectiveness of those mechanisms and tools (based on an evaluation of the instruments and on company practices), as well as to present the most innovative of these instruments and discuss their possible transferability to other contexts. The checklist will be used as a background document and will be discussed and completed during each national seminar.**
2. The draft of a more detailed document as a direct follow up of the checklist. **A group of European experts will work for some months to complete and develop the present checklist with short descriptions of each type of action and concrete practical examples.**
3. The organisation of a restructuring forum at the end of 2009 in Brussels **to allow more than 200 European experts to exchange and discuss the checklist as well as the toolkit.**

## GLOSSARY

### ***Bilans de competences***

Assessment of individual competences and motivations aimed at define or validate the individual training map

### ***Career corners***

Information mechanisms at the disposal of each employee on the evolution of jobs, the measures under way and mobility opportunities

### ***Career days***

Orientation tools on professional careers paths presented in open days

### ***Competitvity Centres***

Associations of businesses, research centres and training organisations involved in a joined development strategy aimed at creating a synergy around innovating projects

### ***Early warning tools***

Mechanisms to anticipate restructuring by alerting actors in time for them to prepare the company and the workers before the restructuring takes place.

### ***EWCs***

European Works Councils: Works Councils that operate at the European level, consulting and informing workers and representing them in transnational companies

### ***Individual learning accounts***

Accounts aimed at paying for learning at the learner's choice

### ***Internal mobility cells***

Structures established within restructured companies or with the support of public bodies to help workers made redundant find a new job within the group (large companies) or in another company and/or sector. These cells are composed of persons searching for jobs opportunities for the workers dismissed which could match their competences.

### ***Learning advisers***

Employees' representative providing personal advice about learning, careers, courses, qualifications, financial help for learning, etc.

### ***Mobility centres***

Centres aimed at encouraging and facilitating mobility namely by assisting the workers and their families during their period of mobility

### ***Mutualisation of risks***

Structure or scheme aimed at sharing specific risks related to job losses on a large number of the population rather than on the individual worker via for example the creation of guarantee funds or training and jobs security funds with or without the participation of the public authorities

### ***Reconversion cells***

Cell set up inside the company with a group of person to follow the workers made redundant

### ***Redeployment unit/ Job centre***

Structure devoted to help workers dismissed following a restructuring succeed in finding a new job, by using tools such as the assessment of workers competences.

### ***Skills councils***

Structures analysing skills gaps existing at sectoral level between supply and demand of labour, involving different stakeholders (eg social partners, training and education providers, public authorities), see e.g. skills councils in the UK.

### ***Skills passport***

Record of a worker's acquired competences through training or work in view of encouraging workers' internal and external mobility.

### ***Social plans***

Measures offering alternatives to dismissal, assistance in arranging re-employment and compensation)

### ***Unemployment/redeployment toolkits***

Documents regrouping detailed lists of actions to choose from to support workers better cope with this period of unemployment and to help them find a new job.

### ***Vouchers***

System of credits for training hours (vocational vouchers) distributed to each worker to give him the possibility to follow training and thus develop its employability.

## ELEMENTS OF BIBLIOGRAPHY

*Managing Change*, High level group on economic and social implications of industrial change, Final Report, DG EMPL, EC, 1998

*Labour market policy for socially responsible workforce adjustment*, Peter Auer, ILO, Employment paper 2001/14, 2001

*A guide to employee displacement: some tools for reducing the impact on employees, communities and enterprises*, Gary B. Hansen, ILO, 2001

Boîte à outils en matière de restructurations, Voss, Wilke, Maack and Partner, ETUC, 2007

*Restructuring Work and Employment in Europe*, (MIRE-Art6 ESF), Edited by B. Gazier and F. Bruggeman, Edward Elgar, 2008

*Final Report of the AgirE Project*, (Art6 ESF), 2008, <http://www.fse-agire.com>

*Restructuring in Europe 2008*, DG EMPL, EC, Commission staff working document, 2008

*Plant-level responses to the economic crisis in Europe*, Vera Glassner and Béla Galgoczi, ETUI, WP 2009.01, 2009

*National Dossiers and further resources* developed in the context of the Joint European Social Partners' Programme on Restructuring (see: <http://resourcecentre.etuc.org/Integrated-project-studies-on-restructuring-30.html?PHPSESSID=da68c268e850403fc2348fd73f7242f3>)

*Toolkit Restructuring: Key findings from the ETUC project "Strengthening the role of worker representation bodies and trade union organisations within the framework of restructuring operations"*, ETUC, Brussels 2007

*Work organisation and restructuring in a knowledge society (WORKS)* is a research project funded under the Socio-economic and humanities Programme 6th Framework Programme, [www.worksproject.be](http://www.worksproject.be)

*Restructuring in the Electricity industry: A toolkit for socially responsible restructuring with a best practice guide*, D Tarren, H. Potter and S. Moore, Working Lives Research Institute, A report for EURELECTRIC, ESPU and EMCEF, 2008  
27/11/2008 - 28/11/2008

*Restructuring Forum: Breaking New Ground in Restructuring 27-28/11/2008, Executive Synthesis (Recommendations)*, DG EMPL, European Commission, Europa





### **Where to find more information?**

The following information can be found on the Europa website under the address:

***<http://ec.europa.eu/restructuringandjobs>***

The 18 sector studies on the analysis of the sector's evolution and future skills needs

The Restructuring in Europe report

The thematic restructuring forums

The checklist and the toolkit on restructuring processes

The training guide for SMEs

The national seminars on restructuring in 27 EU countries

Official documents related to restructuring policies

