



Transnational company agreements Legal effects

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Parties' intentions

Intentions of parties to transnational agreements vary
As to the status and treatment of the text concluded:

- ❖ **Declarations or policy orientation**
- ❖ **Guidelines for national/local consideration**
- ❖ **Contract between the parties**
- ❖ **Framework agreement to be implemented at national/local level**
- ❖ **Binding agreement producing direct legal effects**

Present legal status

Present legal status of transnational agreements

- ❖ May differ from the parties' intention
- ❖ Is unclear (no norm, no case law)
- ❖ May be as an employer's unilateral commitment
- ❖ May vary from one country to another

Legal effects are conditional on the national framework applicable and depend in particular on

- ❖ The content of the agreement
- ❖ The signatories and their representativeness
- ❖ The procedure followed

Data protection issues to consider

National systems

What makes a collective agreement varies

- ❖ Signatory parties and representativeness
- ❖ Compliance with negotiating procedures
- ❖ Requirements as to substance
- ❖ Registration formalities,..

National rules differ in particular as to

- ❖ Link between company agreements and other norms and levels of social dialogue
- ❖ Application to all employees or affiliated members only
- ❖ Effects on individual working contracts



Issues

To facilitate the development of transnational company agreements

Parties to should be able to:

- ❖ Determine and control their legal effects*
- ❖ In coherence with national norms*

What are the practical and legal obstacles?

What could be done?