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
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?