



Questions and answers VT/2011/074

Question 1:

In the section 6.1 “Specific tasks” (page 6), it is mentioned that *“At least four examples of individual and collective labour disputes should be taken to illustrate the analysis throughout the study.”*

When a reference to four individual and collective labour disputes is made, is it transnational cases settled at national level that is being requested? Or is it national labour disputes?

Answer: The objective is to address a specific type of dispute, for example, a dispute on the application of a company agreement on restructuring or a dispute on working conditions of mobile workers.

Under task (a) of point 6.1, this type of dispute should be given a national character or be limited to the national scope, the aim being to look at the "normal" national mechanisms to settle disputes

Under tasks (b) to (d) of point 6.1, this type of dispute should be given a transnational character, the aim being look at the settlement of transnational disputes.

Question 2:

In the same section , point c. *“Identification of the practical and legal obstacles to allow for transnational labour disputes to be settled out of court”* establishes:

- *Assess how out of court mechanisms are able to take into account the actors and situation in other countries for the settlement of transnational labour disputes*

In this case, are you considering *other countries* as other non-EU member states?

Answer: The term "Other countries" in that context is meant as any country, other than the Member State in which the out of court mechanism is established, and which situation is highly relevant to the settlement of the case. This could be, for example, a country in the scope of application of a transnational company agreement or the country of origin of a mobile worker.

The focus should be on Member States of the EEA. In some cases however, the inclusion of non-Member States in the analysis may prove useful.