

BUSINESSEUROPE



TOGETHER WITH



Council of European Employers
of the Metal, Engineering and
Technology-based industries



European Federation for Print and Digital Communication



First Vice-President Frans Timmermans

Vice-President Valdis Dombrovskis

Commissioner Marianne Thyssen

European Commission
Rue de la Loi 200
1049 Brussels

Brussels, 29 June 2015

Dear Vice-Presidents, Dear Commissioner,

On 10 April 2015, the European Commission published as part of its REFIT programme the first stage social partners' consultation on consolidation of three EU Directives on the information and consultation of workers¹. As representatives of the business community we would like to underline our view that the idea of reopening these Directives should be abandoned for the following reasons:

¹ Directives 98/59/EC on collective redundancies, 2001/23/EC on transfer of undertakings, and 2002/14/EC on national frameworks for informing and consulting employees;



1. Consolidation would not solve any identifiable problem. Various studies have confirmed that the existing EU legislation on information and consultation of workers is working satisfactorily and is not the subject of debates. This well-established, comprehensive framework has been in place for many years and provides legal clarity for employees and companies alike.
2. Having three separate directives makes sense. They address different situations, so it is logical that they include some differences in their scope, definitions and requirements. These differences have not led to any practical difficulties for companies.
3. Consolidating the directives would do nothing to serve the goals of the better regulation agenda or of the REFIT programme². Reopening the Directives would simply spark a long period of debate, and legal uncertainty for both employers and workers due to new legal interpretations of information and consultation rules arising from a consolidated text.
4. Harmonisation of definitions of “information” and “consultation” in the three Directives would lead to longer decision-making processes and unnecessary additional burdens for business. This would be of great harm, especially at a time when companies across the EU are still struggling to recover from the economic crisis.

We thus urge the Commission not to pursue this initiative, which would have no effect in reducing red tape, and would result in a harmful impact on companies.

We would appreciate the opportunity of a meeting with you soon to discuss the issue further.

Yours sincerely,

Markus J. Beyrer
Director General
BUSINESSEUROPE

² The REFIT programme aims to *unlock the benefits of EU law for citizens, businesses and society as a whole in the most efficient and effective way, while removing red tape and lowering costs without compromising policy objectives.*



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