



econocom

Minutes of the European Works Council Bureau

Meeting to discuss the European Delegates protection issue

24 May 2018 – Paris

Present:

Sébastien Gendre
David Mungo
Fatima Belhachemi

Excused:

Virginie Joveneau
Yvan Sandre
Giovanni Serravalle

Invited:

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1	PREAMBLE	3
2	PROTECTION AND DEFENCE FOR EUROPEAN STAFF REPRESENTATIVES AS THEY CARRY OUT THEIR DUTIES ERREUR ! SIGNET NON DÉFINI.	



1 PREAMBLE

For some time now, the Bureau has been considering taking out insurance that would offer guarantees of protection for activities related to carrying out staff representation duties. When a social stakeholder works at a high level and engages in discussions with a Company Management, it is not uncommon for managers to retaliate for matters that may or may not be related to the rights attached to the agent's term of office.

With this in mind, the Bureau had discussions with two companies specialising in this field in order to assess the level of protection that they were able to provide to European Staff Representatives.

2 PROTECTION AND DEFENSE OF EUROPEAN DELEGATES

The **ARAG** Company specialising in this type of insurance offers only "legal" protection. It should be remembered that:

"Legal protection is an agreement regulated by the Insurance Code that a natural person or legal entity has concluded with an insurance company pursuant to which the latter undertakes to bear the costs necessary for defending the interests of the policyholder and to offer the latter assistance with a view to settling the person's dispute".

Ultimately, **ARAG** can only provide part of the protection being sought, since it would only cover the costs of a lawyer. The Bureau wants much more comprehensive coverage that would include salary continuance in the event of job loss.

The **D.A.S.** company also specialises in this type of contract but does not provide complete protection as the Bureau would like. Although the company bears the costs relating to legal proceedings and legal fees, the coverage seems insufficient with regard to the rights of Staff Representatives.

At the end of the discussions with the two companies, the Bureau notes that only the so-called "traditional" insurance policies are able to offer "salary continuation-type" guarantees. The complexity of the requirement apparently explains why no company has yet examined this type of protection.

As well as salary continuation, account needs to be taken of the European area. A Member representing staff may, in the performance of the official's duties, act through the various countries in which the Econocom Company is represented. The conditions governing the application of insurance should also be studied. When the Company decides on measures against a Staff Representative, local laws can provide initial protection. But what happens when these rules no longer protect the Staff Representative, as it condemns the act by which he is sanctioned? The Bureau want the protection to take account of a large number of situations, thereby enabling the Staff Representative's duties to be carried out in more satisfying conditions.



The Bureau has therefore decided to study the use of so-called traditional insurance and in this respect the case has been reopened by the person in charge, who will contact insurance companies likely to provide this type of service. A further meeting will be organised in order to meet the key market players and explore what they can offer in terms of guarantees.

The Bureau.