International Framework Agreements (IFAs)

„IFAs in practice“ – Information and practical assistance for implementing and monitoring of IFAs for employees’ representatives in multinational companies
“Human dignity is inviolable and it is the duty of all state powers to respect and protect it.”

Article 1 (1) of the Basic Law of the Federal Republic of Germany

„Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.”

Articel 11 (Freedom of assembly and association)
This brochure provides information on IFA management from the employee’s point of view and documents the results of the European project “TCAs in practice” (PASOC)

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(Project Ref. Nr. VS/2011/003/0200)

Company workers’ representatives
  o Pfleiderer AG (Germany, Poland, Sweden)
  o Wilkhahn (Germany, Spain)
  o Schwan-Stabilo (Germany)
  o Staedtler (Germany)
  o Faber-Castell (Germany)

with the support of national and European trade unions
  o Europäische Föderation der Bau- und Holzarbeiter (EFBH)
  o IG Metal (Germany)
  o GS (Sweden)
  o NSZZ „Solidarnosc“ (Poland)
  o ZZ „Budowlani“ (Poland)

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### Practical assistance for IFA implementation and monitoring

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This publication is part of the European-funded project “TCAs in practice - Strengthening workers’ representatives participation and promoting social dialogue for implementation, monitoring and further development of Transnational Company Agreements at Pfleiderer, Wilkhahn and further companies from wood/furniture sector” (acronym: PASOC – Workers Participation and Social Dialogue)

Under the project, three different workshops and one European conference were held during 2012. The project events targeted trade unions and work councils from five multinational companies (Pfleiderer AG, Wilkhahn, Staedtler, Schwan-Stabilo und Faber-Castell). They considered challenges, tasks and practices in implementation and monitoring of IFA-processes in their companies.

The project PASOC was initiated by the EWC of Pfleiderer with the supportive management and implementation of Arbeit und Leben Bielefeld e.V. (DGB/VHS). The overall project and related activities were designed and run in close collaboration with project partners from Trade Unions, namely:

- IG Metal (Germany)
- European European Federation of Building and Woodworkers (EFBWW)
- Niezalezny Samorządny Związek Zawodowy „Solidarnosc” (Poland)
- Związek Zawodowy BUDOWLANI (Poland)
- Facket for Skogs-, Träocz Grafisk Bransch (Sweden)

For more information on the project, please see: http://pasoc.innopas.eu/
1. Arguments: Goals and status of IFAs from the perspective of unions

Transnational agreements in multinational corporations (TCAs) – here in the form of International Framework Agreements (IFAs) – are of increasing significance in securing acceptable social legislation and labour laws in globalised labour markets. The Euro debt crisis, growing national deficits and sluggish economic growth in many European countries pose a risk of significant differences emerging in the economic and political development of the different European countries. This would in turn lead not only to a halt to any convergence but in fact to major divergences arising in the levels and speed of national development. Companies operating throughout the EU are particularly vulnerable in such a scenario. Deteriorations to the economic and socio-political climate – and this could happen not only in the weaker Euro zone economies such as Greece, Spain, Portugal or Italy – would put pressure on the companies across the Union. We can today already observe in many international corporate groups a drastic increase in precarious employment situations, the watering-down of wage agreements, infringements against existing factory agreements and the reduction of social and company benefits and contributions.

TCAs (IFAs) are therefore today more than ever before important instruments for safeguarding social and employment policies, which can counteract the divergence of standards in the competition for business locations within Europe and throughout the world and reinforce social responsibility on the part of multinational corporations.
Multinational companies that conclude such framework agreements with international labour union federations undertake to respect the fundamental worker rights recognised by the International Labour Organisation (ILO). The furthermore also undertake to respect trade union rights and the right of collective bargaining and to guarantee equal opportunities, adequate wages and decent working conditions both in their own company and in those of their subcontractors and suppliers.

International Framework Agreements represent for trade unions a global instrument for ensuring fundamental organisational, social and worker rights on a national, European and global level.

The success of International Framework Agreements depends to a great extent on the strength of the trade unions at the individual country level, on existing activities in the (European) works councils or at the level of global campaigns. It is moreover important that collective bargaining can also be conducted successfully at both the country level and company level. In many countries, the fundamental ILO protection mechanisms were finally realised though the work of global, national or regional trade union organisations.

If a workforce in Europe shows solidarity with their counterparts in production locations in other continents, and develop concepts by themselves on how progress can be made at different locations, when factory agreements guarantee good working conditions, social protection, equal pay and equal opportunity or when a multinational corporation by its own initiative undertakes to comply with the relevant social standards – then these strategies first pursued at a company and national level can also be seen to promote “best practices” worldwide.

“A TCA has been defined by the European Commission as:

...an agreement comprising reciprocal commitments the scope of which extends to the territory of several States and which has been concluded by one or more representatives of a company or a group of companies on the one hand, and one or more workers’ organisations on the other hand, and which covers working and employment conditions and/or relations between employers and workers or their representatives.”

Today, there are around 200 of these agreements, with about 100 companies involved - some companies have signed more than one agreement. Approximately 80 of them are defined as international framework agreements (“IFAs”) and focus on the respecting of fundamental social rights, mostly outside Europe. The remainder – European framework agreements (“EFAs”) or mixed agreements – are agreements and texts with European or mixed scope that focus on specific issues, such as restructuring, training or equality.

TCAs (i.e. IFAs and EFAs) are also a European-focused process, with the majority of agreements being signed by companies with headquarters in France and Germany. However, although these companies may have their headquarters in a particular country, their production and operations are often global, making it very difficult to make clear distinctions between European and international agreements.”

EC staff working document on “The role of transnational company agreements in the context of increasing international integration” (SEC (2008))

Source: http://ec.europa.eu/social/main.jsp?catId=707&langId=en&intPageId=214
Good and dignified work was already declared to be a human right in the Universal Declaration on human rights in the UN Charter, where they are mentioned in Article 23. Pursuant to these obligations under international law, the International Labour Organisation (ILO) established four basic principles for “dignified” living and work.

These fundamental principles correspond to the so-called core labour standards of the ILO. These consist of eight conventions, and so far more than ILO member countries have undertaken to comply with their provisions. The core labour standards prohibit forced labour, discrimination at the workplace and child labour. They also guarantee the right to trade union organisation, wage negotiations and “equal pay for equal work”.

The international convention on the freedom to organise and form trade unions and the right to collective bargaining is the basis for the right of workers throughout the world to organise in trade unions and in this way negotiate at an equal level with employers. Although over 160 countries have by now signed the ILO Convention on the right to collective bargaining, this fundamental right still has not been fully implemented in many countries. It is not recognised in China, South Korea and India or in Mexico, Canada or the USA, nor indeed in Afghanistan, Burma, Iran, Saudi Arabia, Somalia, Thailand and Vietnam. The freedom to organise in trade unions represents, however, a core element of a life free of exploitation. Without freedom of association and negotiating power it is impossible to enforce effectively and end to child labour, forced labour and discrimination.

1.1. Significance of ILO standards: Guaranteeing social minimum standards in the globalised economy

The core labour standards comprise the following conventions:

- **No. 29** Forced Labour Convention, 1930
- **No. 87** Freedom of Association and Protection of the Right to Organise, 1948
- **No. 98** Right to Organise and Collective Bargaining, 1949
- **No. 100** Equal Remuneration Convention, 1951
- **No. 105** Abolition of Forced Labour, 1957
- **No. 111** Discrimination (Employment and Occupation), 1958
- **No. 138** Minimum Age Convention, 1973
- **No. 182** Convention concerning the Prohibition of and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999

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International framework agreements oblige companies to implement with binding effect the so-called core labour standards of the International Labour Organisation (ILO) for safeguarding human dignity with social minimum standards.

In its “Decent Work Agenda” of 1999, the ILO summarises all agreements and recommendations into one new guideline. According to this, decent work depends on four core conditions:

- respect for rights in the workplace – at the very least compliance with the core labour standards (prohibition of child and forced labour, right to organise and prohibition of discrimination),
- adequate remuneration, to cover the basic living needs and allow the worker, through his work, free himself from poverty,
- social security,
- and promoting social dialogue regarding the organisation of working conditions.

From these “global minimum standards” the ILO has in turn derived four strategic objectives:

- creating more and better opportunities for employment.
- respecting worker rights and anchoring these in law.
- developing and expanding systems of social security.
- promoting social dialogue between employers and trade unions.

The new quality of this strategy: the "decent work" principle not only demands the right to dignified work, it also provides guidelines on how these rights can be realised and expanded through concrete regulations – and to consolidate them jointly through dialogue between employers and trade unions. This is based on the reasoning that there can be no income without productive work and no release from the bonds of poverty without income.

The main focus here is on the active promotion and organisation of improvements as an extension of a social minimum protection standard!
1.2. Five companies – Five agreements: The companies involved in the project

**PFLEIDERER AG** a corporation with headquarters in Neu- markt/Germany was until 2011 one of the leading European enterprises in the field of derived timber products, with at the time a total of 13 production locations in Germany, Poland and Sweden, and further plants in the USA/Canada and Russia. Pfleiderer AG (and its various subsidiaries in different countries) employed around 5,200 workers – of which 3,500 were in the EU27.

In 2011/2012, Pfleiderer AG undertook a commercial and operational reorientation of all its business segments and locations. This restructuring involved the sale of business units and reductions in the workforce. By the end of 2012, subsidiaries in Sweden, Russia and in the USA were sold. In early 2013, its general meeting decided to transform the former stock corporation Pfleiderer AG into a GmbH (limited liability company under German law).

In the context of the sales of business, the total number of employees was reduced to approx. 3,200 – of which approx. 2,100 were in Germany and approx. 1,100 in Poland. The employees in the German works are represented by a total of 8 local works councils. There is a Group Works Council and, since 2007, a European Works Council.

**WILKHAHN** (Wilkening & Hahne, GmbH & Co. KG) is a globally present premium enterprise in the office and property furniture sector, with headquarters in Bad Mün- der in Germany and production works in Spain and Australia. Globally, Wilkhahn employs a total workforce of 570, 466 of which work in the EU 27. The interests of the workforce in the main plant in Germany are represented by a total of 11 members of works council. Even without formal representation structures, the works council seeks to cooperate with trade unions and workers’ representatives at the different international locations.
**SCHWAN - STABILO** is a diversified manufacturer in the writing and drawing utensils and cosmetics industry with a total of over 4,350 employees worldwide. In Europe, the company operates four production locations with a total of 2,900 employees – thereof two in Germany (with a workforce of 1,900) and a further two in the Czech Republic (with a workforce of 900). Outside Europe, there are also production works in Malaysia (1), China (1), United States (2) and in Columbia, Brazil and Mexico (1 in each case). The interests of the employees in Germany are represented by local works councils and a central works council. In the neighbouring Czech Republic, there is trade union representation in only one of the two production plants in the country. A plant trade-union representation was created in Malaysia. In the other non-European countries, these structures are either entirely absent or currently under development (Brazil).

**STAEDTLER** is one of the world’s leading manufacturers and suppliers of writing, painting and creative products. This international corporation manufactures at six locations and employs globally approx. 2,200 workers, including around 1,500 in Germany. Within the EU27, the company has three production plants in Germany. It also has three locations in Indonesia (1) and Thailand (2). The employees in Germany are represented by a central works council. Plant workers’ representation at the Asian locations is currently under development with active support from Germany.

**FABER - CASTELL** is the world’s leading corporation in the sector of writing and drawing utensils and cosmetics – produces in 10 countries and in 15 production locations worldwide, employing a workforce of around 7,000. The company has production locations in Germany (2) and Austria (1), as well as a total of 12 plants in non-European countries: Brazil (3), India and Indonesia (2 each), China, Columbia, Peru, Costa Rica and Malaysia (1 each). In Germany, there are currently approx. 800 workers employed. Employees in Germany are represented by local works councils and one central works council.
1.3. Insight: Reasons for concluding International Framework Agreements

Social dialogue in the company

“Even before our IFA, the Pfleiderer world had not been an inhumane and socially barren working desert. We have the most plants in European countries that guarantee quite good minimum conditions on a statutory basis. There are, however, also quite a few areas where improvements can be made, and we intend to make these improvements in the context of the planned Social Charter talks. The Pfleiderer Social Charter allows us to take the initiative ourselves.”

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG)

“The dialogue was also taking place before the agreement. The agreement has led to a situation where review of the social standards was included in the existing management processes. This is of vital importance for the matter at hand, above all for a medium-sized company. Otherwise there would be a repeated need for additional efforts to be made and financial costs incurred and the matter would for this reason be repeatedly called into question.”

(Olaf Stender, Chairman of the Works Council at Wilkhahn)

Experience in the companies involved has shown that international framework agreements in multinational corporations do not arise as a result of isolated action, but are rather generally part of an integrated strategy of socially responsible corporate policy. Almost all IFA companies follow the CSR philosophy and have implemented corresponding codes and procedures by way of voluntary undertakings. Examples include the “Code of Conduct” (Pfleiderer), the “10 Guiding Principles” (Faber-Castell) or membership in the Global Compact (Wilkhahn). IFAs supplement these codes – anchoring in the company certain fundamental standards of employment and social protection in harmony with the internationally applicable ILO conventions in a way that is binding, verifiable and co-determined.

IFAs therefore function in companies only through the cooperation of trade unions, works councils and management. One essential condition is a functioning social dialogue and a well-developed corporate culture in dealing with workers’ representatives.

The reasons for an International Framework Agreement, and indeed the persons and bodies driving this process, vary greatly from company to company. In Pfleiderer, the European Works Council (EWC) was the central initiator behind the development and negotiation of the “Pfleiderer AG Social Charter” in 2010. This was encouraged by the support of the European Union. The benefit was that the IFA at Pfleiderer could be prepared, developed, negotiated and agreed by the EWC in the course of a 12-month transnational project. The systematic, participation-based approach at Pfleiderer is exemplary and a model for successful practice.
Pfleiderer AG Social Charter (PASOC)

“The PASOC Framework Agreement has been in place since 2010 and was triggered by an initiative of the Pfleiderer EWC, which wanted to deal intensively with the social minimum standards in the company and cooperation among workers in all countries on this matter. In a second step, the idea was proposed that this be undertaken as part of an EU-sponsored project.

Expectations were certainly quite diverse at first, which was also shown by a workshop carried out before the project was defined. The initial ideas ranged from a better networking of national worker bodies all the way to international wage agreements. As far as I was personally concerned, simply the cooperation itself, the active communication and exchanges regarding existing situations, standards and national regulations, was a major benefit. My objective at the time was to shift the corporate philosophy at least some way towards sustainability and away from a pure fixation on profits and its fringe phenomena, such as precarious employment.

This objective can be reached, in my view, only in the context of a social partnership agreement. We are proud that we were able to achieve our goals for the most part as part of our EWC practice. The regulations we introduced to our Framework Agreement are quite wide ranging. In expanding the “older” IFAs in our sector, PASOC deals specifically and concretely with current issues such as temporary employment and sustainability, and this is a good thing. What is even better, however, is that these regulations force us to deal with the actual practice in the different plants of the group, and in this way expressly question, expose and gradually minimise any deviations from the IFA. The systematic and continuous IFA process at Pfleiderer has assisted us in consolidating our cooperation in the EWC in a way that is both reliable and effective.

International cooperation is indispensible today; it represents the only way workers can even begin to keep pace with globalisation. We will not be able to put a halt to it but, through intensive communication and cooperation, we shall be able to prepare to meet changing conditions and challenges. Part of this will naturally involve all sides speaking and dealing openly with each other and also be prepared to take joint positions on core issues.

Such an interaction, between the management and the EWC, had in fact already been taking place at Pfleiderer prior to PASOC. Today, concrete situations are being scrutinised and put to the test by workers’ representatives and the IFA is being used as a bridge for the exchange of arguments. There is moreover also an open dialogue taking place, which also promotes positive developments; although no concrete joint projects in the sense of a social partnership have as yet emerged. There is of course absolutely no question that such developments would be very welcome.”

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG speaking at the PASOC Conference in Berlin in October Berlin)
Schwan-Stabilo

“Schwan is a globally active corporation with production location in the Czech Republic, China, Malaysia, USA, Mexico, Columbia and Brazil. As far as we are concerned, it is absolutely necessary that a globally manufacturing company fulfills its obligations in ensuring good, socially oriented and decent working conditions and complies with internationally valid rules and standards. We have been pointed out for a long time that it is also an advantage for the company when social responsibility in practice is visible to customers and to the general public. There was a lot of work and persuasion to do until our company was finally prepared to sign an international agreement with IGM.

One important impetus for the company’s decision to enter into our IFA was that more and more customers were inquiring directly about a social agreement. This in turn created pressure on the company to justify its position. Our IFA then allowed the company show that it had concluded and put into practice a suitable agreement.”

Dieter Pfister, Chairman of the Central Works Council at Schwan-Stabilo

The emergence of at the IFA at Faber-Castell in 2000 – one of the first IFAs in a German company ever – draws attention to a very different path that can also be followed. In this case it was namely the company itself that approached the union federation IG Metall and the Building and Wood Workers International. For Faber-Castell, the negotiation of the framework agreement with the trade unions was one logical further step towards a social alignment of the company within a global framework. The IFA in Faber-Castell is, however, significant for a different reason: it was seen as a pilot model for other German companies in this sector, and consequently had a triggering effect for the signing of IFAs at the other globally active competitors Schwan-Stabilo and Staedtler.

With argumentative support from the IFA process at Faber-Castell, and following the initiative taken by the then chairman of the Central Works Council at SCHWAN-STABILO, another agreement was finally reached in 2005 after several attempts and in close cooperation with BWI and IG Metall. Success in this case was due to the individual action of the works council chairperson and the support of the trade union organisations involved.

An IFA can also be reached on the basis of pressure from outside, if customers demand evidence of social standards and in this way generate greater openness on the part of the company management.
2006 saw the signing of the IFA at STAEDTLER. As part of the internal and external image of Staedtler, this framework agreement represents a continuation of the company's traditional social responsibility in practice. Even before the agreement with Faber Castell was negotiated, the chairman of the Central Works Council had been trying to convince the company management to sign such a framework agreement. It was, however, the inquiries made by a customer in 2005 that then led to the commencement of concrete negotiations. Ultimately, it was once more in the case of Staedtler the pressure generated by workers' representatives and the cooperation between works council, IG Metall and BWI that gave rise to the agreement in place today.

In the medium-sized furniture manufacturer WILKHAHN it was the common view shared by the works council and the company management that voluntary CSR undertakings in medium-sized companies are not very common. Protective mechanisms that are oriented to the ILO standards are not mandatorily applied in CSR. Wilkhahn accordingly decided in favour of an International Framework Agreement because – according to managing director Jochen Hahne in a discussion with works councils at the European PASOC Workshop at the end of February 2012 – “voluntary commitments are in themselves not sufficient; binding regulations in the sense of the IFA standards are rather necessary.”

By signing the IFA in 2009 Wilkhahn made an undertaking to implement the internationally applicable social and work standards in a way that is verifiable and part of the co-determination practice throughout the corporation. The goal here from the point of view of the works council is “to expand the standards relating to work safety, co-determination and union activity that are currently applicable at the German location to include the entire corporation. The agreement forms the basis for applying international work standards, such as work safety, the prohibition of child labour and exploitation, also to sub-contractors and suppliers”

(Olaf Stender, Works Council chairman at Wilkhahn)

Social Charter Staedtler

“Besides wide-ranging programs for industrial safety and health protection, on staff training and the promotion of diversity in the company plants, the decisive factor was above all the Social Charter of the company agreed in 2006. This document establishes binding standards for just and socially-sustainable working conditions, which are observed in all branches and production locations.

One guiding principle supported by all signatories to the Social Charter (STAEDTLER, IG-Metal and the international federation of Building and Wood Workers – BWI) is the focus on the need for a transparent and democratic social dialogue and fair negotiations with workers representatives and their trade unions. This concept is indeed nothing new for STAEDTLER, as the company reintroduced a works council as early as 11 October 1945, directly after World War II and long before the German Works Constitution Act was passed.

The Social Charter is based on the fundamental principles of human rights as formulated in the “Universal Declaration of Human Rights (1948)”, the “ILO Declaration on Fundamental Principles and Rights at Work and their Follow-up Procedures (1998)” and in the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy of the ILO (2000), as well as in the OECD Guidelines for Multinational Enterprises (2000). All signatories have accordingly undertaken to work towards achieving these goals, with a view to establishing social justice and a sustainable positive development among the activities and companies of STAEDTLER and among its contractors and suppliers.”

Jutta Hubmann-Bähr, Director of Human Resources at STAEDTLER Mars GmbH & Co. KG speaking at the PASOC Conference in October 2012
Worker rights: Freedom of Association and Right to Organise and Collective Bargaining

Fundamental rights of workers can be achieved and safeguarded in the business world, at the workplace and in factories only the workers are free to organise in unions, to represent their interests and negotiate freely their working conditions.

These fundamental rights do not yet exist in many countries.

As far as trade unions are concerned, the right to organise and to free wage bargaining is therefore the most important right of all: both constitute a basic requirement if social, work and human rights are to be realised in working life.

ILO Conventions

No. 87 - Freedom of Association and Protection of the Right to Organise, 1948

No. 98 – Right to Organise and Collective Bargaining, 1949

No. 135 - Protection and Facilities Afforded to Workers’ Representatives in the Undertaking, 1971

No. 143 - Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975
Best practice

The European Works Council as platform for transnational cooperation

“The cooperation and interaction between German, Polish and Swedish colleagues had become consistently better over the years since the establishment of the EWC to today. The regular exchange in the EWC ensures transparency and comparability in relation to working conditions and social standards. We ourselves have formulated the goal of obtaining recognition for our IFA, even beyond the frontiers of Europe. Bringing this intention to a successful conclusion is possible only with the help of strong partners, such as BWI, which was essentialy responsible for making contact to our union counterparts in the United States.”

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG)

Trade union organisation and workers’ representation

“We have used our IFA to establish better contact to our colleagues in other countries and in order to support the organisation of workers’ representation in companies. From an international perspective, this support effective to varying degrees. While a company trade union was set up in Schwan Stabilo in Malaysia with the support of the NCO offices in Kuala Lumpur, which functions quite well for the conditions prevailing there, nothing seems to be moving in the Czech Republic. In that country, we do not receive the necessary support from the local trade unions. In the audit in the USA we facilitated unrestricted access for the trade unions to the company – without the otherwise usual ballot among workers.

Our experience shows that even in Germany and in Europe the formation of works councils is being obstructed. The Schwan works council in Weissenburg only learned from the local press that the attempt to set up a works council in a supplier company led to dismissals of workers. We accordingly served a reminder to our company management that according to ILO No. 87 & 98 and with reference to our framework agreement it is obliged to intervene with this company. This duly occurred as soon as possible, and a new works council body was soon in place in the company in question.”

(Dieter Pfister, Chairman of the Central Works Council at Schwan-Stabilo speaking at the PASOC Conference in Berlin in October 2012)

IFA WILKHAHN

Freedom of association / role of unions and employees’ representative organisations

„The fundamental right of all employees to establish unions, join these unions and to conduct collective negotiations shall be recognized (ILO Convention No. 87 and 98).

Wilkahn and the unions and employees’ representative organisations shall work together openly and honestly and in the spirit of overcoming conflicts in a constructive and cooperative manner.

The employer shall take a positive approach towards the work of the unions and be open to their activities in respect of organized labour of the employees.

Representatives of the employees may not be discriminated against and shall have access to all working places as called for in the exercising of their representative function (ILO Convention No. 135 and Recommendation No. 143.”

IFA STAEDTLER

“STAEDTLER has a positive attitude towards union activities and open to union organising”.

IFA PFLEIDERER

„Pfleiderer follows the most efficient procedure in the country when a member organisation of BWI demands union recognition. (…) Pfleiderer sees participation and co-determination rights of employees, especially at the operational level, as representing an important competitive advantage for the group and a central sustainability factor (…) The company shall never instigate any measure aimed at undermining wages agreement structures or co-determination rights“
Our position

Even in Germany and Europe, where worker rights are recognised and anchored in law, they are nevertheless still and repeatedly obliged to defend themselves against attack and encroachment!

The commitment to unrestricted representation of workers’ interests is also an issue for us here when, for example

- some companies refuse to establish works councils,
- works councils are obstructed in performing their duties,
- trade unions are denied unrestricted access to the certain locations,
- works councils are spied on and subject to surveillance,
- information and data is not made available,
- co-determination rights of works councils are violated

Trade union organisation protects against economic exploitation and social oppression.

Trade unions and works councils safeguard the rights and interests of employees – locally, regionally and globally!

Best practice

Exchange and Information

“When interacting with colleagues in Spain and Australia it is important to establish whether the social fundamental conditions are being complied with. We are now commencing this communication. The next step will be to extend this to the license partners in Japan, Morocco and South Africa. We are doing this in line with the approach of using the channels set up in the company (e.g. in sales or in quality management) for communicating with these companies and establishing these channels for consolidating the social standards.”

(Olaf Stender, chairman of the Works Council at Wilkhahn speaking at the PASOC Conference in Berlin in October 2012)

Positive examples of international support and cooperation with national, regional and local unions:

- In Malaysia the local trade union takes the opportunity and negotiates a wage agreement in a company that was previously run without a trade union.
- In India the local trade union takes the initiative and is able, together with the audit committee, to achieve the reversal of the planned closure of a production facility.
- In Peru, through the moderation of the BWI, negotiations pertaining forming a company trade union organisation are commenced with the local trade union.
International cooperation

A network of workers’ and trade union representatives from the different locations of a company represents an important structural basis for realising IFAs, for ensuring their best possible implementation and monitoring compliance with the agreement.

IFAs conversely provide an impetus for driving the inter-location networking of worker and union representatives in the company, which in turn also opens up further opportunities for cooperation and interaction.

Multinational union networks not only facilitate implementation of the IFAs, but also the continuous exchange of information, dialogue on common issues, interests and positions, the development of strategies relating to workers’ representative policy and the preparation of joint activities.

To ensure success in this regard, workers’ representatives in a company require the support of national, European and global trade union organisations.

The Building and Wood Workers International (BWI), which is based in Geneva, Switzerland, has been providing such support for many years.

- It has been involved in the negotiation of all International Framework Agreements in the construction and wood sector and has provided essential support in this regard.
- It has drafted a model framework agreement as organisation and bargaining aid for workers’ representatives in multinational corporations.
- It has played a central role in global implementation and further development of IFAs and functions as an international coordinating office in relation to national and local bodies.
- It cooperates globally with numerous non-government organisations and can, when necessary, bring its influence to bear on state bodies and business interest groups.
Employment: Voluntary, direct and regulated working conditions

Regular and socially safeguarded working conditions represent the most important protection against economic and social poverty. According to ILO estimates, half of all workers worldwide work under precarious conditions.

Around 40 percent of people in the world today live in poverty. Three out of every four people in the world live without any social security.

A total of 1.37 billion people are, although in work, are unable to raise themselves above the poverty level. Among working women, no less than two thirds work without any social security and for starvation wages.

And the situation in Germany?

One in five employment relationships in Germany is now marginal. Over 7 million people work in so-called mini-jobs. Over one million workers are in temporary employment – many of them receive discriminatory treatment and are paid less than their full-time colleagues.

ILO conventions

No. 29 – Forced Labour Convention, 1930
No. 102 – Social security (Minimum Standards) Convention, 1952
No. 105 – Abolition of Forced Labour Convention, 1957
Employment Relationship Recommendation – No. 198 – 2006
Best practice

Direct recruitment of temporary workers

"Immediately after the Pfleiderer IFA was signed, discussion within the company turned to the subject of temporary employment. The obligation to ensure "direct recruitment of temporary workers" offered a sound basis for the works councils in the different plants for negating "equal pay" regulations and led to suitable factory agreements. Polish workers' representatives also tackled this issue head on and in the last company audit the former practice of dealing with temporary employment was seen to shift somewhat in favour of the workers. The result of this discussion is more frequent and faster incorporation of temporary workers into the regular workforce."

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG)

Company agreement on temporary employment at STAEDTLER

“The use of temporary employment is limited to what is necessary to cover personnel requirements with a probable duration of three months at the longest. If it becomes apparent in the course of the temporary employment that the personnel requirement will continue beyond this period of three months, continued use of temporary employment to cover this personnel requirement will then be possible only when the “equal pay” principle is applied and only up to a total period of six months maximum. A limited or unlimited term contract shall preferably be offered the worker as of the fourth month to cover personnel requirements.

If it is already evident at the time the personnel requirement first arises that this need will probably continue for a period of more than three months, no temporary worker may be employed. In such a case, workers are to be recruited for a limited contract term. (...) Under no circumstances may the number of the temporary workers present at any time exceed 5% of the total number of staff employed by STAEDTLER in Germany.”

(Central Works Council-agreement “Use of temporary employment in the sense of the Germany Temporary Employment Act (Arbeitnehmerüberlassungsgesetz) at STAEDTLER”)

IFA FABER - CASTELL

Voluntary employment

“There must be no forced or compulsory labour (ILO Conventions No. 29 and 105). Workers must not be forced to deposit a “bond” or give their identity papers to the employer.”

Conditions of employment are specified

“The obligations of the employer in relation to workers regarding national labour laws and regulations on social protection on the basis of a regular employment shall be fulfilled. The employment relationship shall be set forth in a written contract.”

IFA PFLEIDERER

Voluntary employment

“Every form of forced labour or debt bondage is forbidden. Employees must not be ordered to deposit their passports, personal documents or valuables with the employer (see ILO Conventions 29 and 105).”

Employment relationship and direct employment

“Pfleiderer accepts its social responsibility towards all employees and always operates fully in accordance with labour law and the relevant social security statutes and the rules based on the regular employment relationship.

Staff reductions through redundancy notice will always be seen as a last resort and are to be avoided by some suitable means (e.g. short time work, voluntary redundancy). Direct employment relationships (normal employment) will always have priority at Pfleiderer over employment through third parties.

Limitations to contracts shall be employed only according to law and when absolutely necessary.

Service providers must ensure that their workers are not treated as freelancers when they have been directly employed (bogus self-employment).

All employees receive a document of the essential terms and conditions of their employment in accordance with the relevant national statutory regulations.”
IFA WILKHAHN

“Wilkhahn shall attempt to restrict temporary employment (employment through third parties) to a minimum (ILO Recommendation 198).”

IFA SCHWAN-STABILo

“In addition to the core labour standards of the International Labour Organisation (ILO), employment and working conditions are to be observed that correspond at least to the requirements of fixed wage agreements and/or national laws and regulations.”

Best practice

Progress in the in Czech Republic

“In our mission to create comparable standards for employees in Europe we have made a significant advance in the Czech Republic. Employees in that country now receive pay and benefits comparable to those received by their counterparts in Germany. Some of these are holiday allowance, Christmas bonus, overtime premium, subsidized vacation, earnings-related pension scheme, extra allowance for shift work and night shifts, lunch allowance.”

(Dieter Pfister, GBR-Vorsitzender bei Schwan-Stabilo)

Staff retention and employment

“’In contrast to the countries of Europe there is in particular in Asia and Latin America a tendency towards greater fluctuation among staff employed on a long-term basis. Being able to recognise at an early stage the individual potential of workers, and improving them through job training, staff advancement programmes and sound personnel management is of central significance for long-term staff retention and for the economic success of the enterprise. With long-term employment contracts, the production know-how can be continuously improved.’

(Sustainability Report Faber-Castell 2011)

Our position

Ensuring regular employment and direct recruiting, and resistance to proliferation of temporary employment, multiple short-term contracts and outsourcings of permanent staff – all of these continue to be on-going objectives of works councils in 2012.

Regulations in the IFA prohibit unreasonable outsourcing in an attempt to evade wage agreements, the limitation of work contrasts as a permanent measure, “working on call” and unregulated employment of temporary workers. External placement of orders in the form of work contracts must also be always scrutinised.

Works councils are active – e.g. with factory agreements on equal pay or regarding continuous personnel planning and development – with a view to establishing regular and direct employment relationships and safeguarding these.
Child labour is not an issue in Europe!
Child labour in its most extreme form exists only in economically and socially underdeveloped regions of the world! – so think many colleagues.

The fact is, however, that the results of the exploitation of millions of children also arrive at our doorstep! Whether textiles, food or toys – the inhuman exploitation of children is hidden in many imported products and consumer goods. The number of children aged between 6 and 14 who are in regular work is estimated by the ILO to be at least 250 million worldwide. A central mission is therefore to have all forms of child labour prohibited globally and end this abuse everywhere in the world!

All children have an inalienable human right to develop as individuals, to be protected from economic exploitation and abuse, to have access to means of learning and education and social advancement.

Securing this right for children is a worthwhile cause!

ILO conventions
No. 138 – Minimum Age Convention, 1973
No. 182 – Convention concerning the Prohibition of and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999
IFA PFLEIDERER

No child labour

„Pfleiderer does not tolerate any form of child labour. Children under 15 years of age or of compulsory school age if this is higher, are not employed (see ILO convention No. 138). Children and young people under 18 years may not be assigned tasks that by their nature or the particular circumstances under which they have to be performed are likely to be detrimental to the health, safety or morals of young people. (see ILO convention No. 182). Any relevant local laws in this regard must also be observed.“

Best practice

The obligation of companies to prevent all forms of child labour is one core element of every International Framework Agreement. Less common are the attempts of individual companies to ensure child protection by actively promoting children (and their families) in their development, health and education.

Faber-Castell has implemented initiatives with model character in this regard.

In its Brazilian production works, Faber-Castell provides facilities such as a plant kindergarten and a health station; it promotes school education of children and organises child-friendly leisure time for its workers – in cooperation with local trade unions and financed by the local company.
Inhumane working conditions and discrimination in working life – instead of equal treatment and equal opportunity.

Discrimination in working life takes many forms: men and women, young and old, permanent staff and temporary workers, healthy and ill, discriminatory treatment of migrants and the socially disadvantaged, etc.

From a global perspective it is primarily women who suffer massive legal, social and economic discrimination. In almost all countries, women are disadvantaged working life. Poverty means in particular the poverty of women. Seventy percent of the poor worldwide are women. According to estimates provided by ILO, four out of five women in poorer countries perform jobs with insecure income, insufficient social security and high economic risks.

Precarious and poorly paid work by men and women – and as a result poverty despite employment – is also an issue in Germany.

Prohibition of discrimination: Equal opportunity and equal treatment in employment and remuneration

ILO conventions

No. 100 – Equal pay, 1951
No. 111 – Discrimination (employment and occupation), 1958
No discrimination in employment

“Esteem, trustful and respectful dealings with all colleagues are essential elements characterising the corporate culture at Pfleiderer. (...)”

All employees therefore enjoy always equal opportunities and equal treatment, irrespective of race, ethnic or social background, religion or world view, political opinion, national origin, gender, physical handicap, age or sexual identity.

On the basis of the said principle of equal treatment, employees shall receive the same remuneration for equal work (see IAO convention No. 100 and No. 111) and shall in this regard also not receive any unfair advantage or disadvantage in the form of their employment contract (e.g. temporary contract). Pfleiderer always endeavours in this sense to harmonise any unfair differences.

The parties agree that discrimination, unfair treatment, harassment of any kind (e.g. Physical abuse, threats of physical abuse, unusual punishments or disciplinary measures, sexual and other harassment), hostility and humiliation, intimidation and insults will not be tolerated, irrespective of whether attempted by executive, staff members, trainee or temporary workers. The parties therefore also agree that any infringement against the prohibition on discrimination will also have disciplinary consequences.

Hired employees from third parties must enjoy conditions at least equivalent to those enjoyed by local staff. Such workers must also be provided with any additional expenses incurred through this transfer.”

Best practice

Review of the classification guidelines for women at STAEDTLER

Equal Pay – a fundamental principle demanding equal remuneration for both, the permanent staff and temporary workers, as well as equal treatment of men and women in employment and remuneration.

“In view of the different remuneration of women and men, the works council demanded a review of the guidelines on classification of workers, which is currently being negotiated and will be concluded shortly. The subject of temporary work/equal pay was regulated with a factory agreement at the level of the Central Works Council – applicable for all locations in Germany.”

(Jürgen Schlicht, Chairman of the Central Works Council at STAEDTLER)

Equal Pay Day 2013

DGB calls for an “equal pay law “

It is not until 21 March 2013, Equal Pay Day 2013, that women achieve the average earnings made men in 2012. Women “must on average work 80 days longer than men to obtain the same pay. The divergence in income was 22 percent last year, an average gross hourly wage of EUR 15.21 for women compares with EUR 19.60 for men. (…)”

According to calculations carried out by DGB and OECD “the income gap, when adjusted for factors such as training, length of service in the company and job-related or sector-related wage differences, stands at on around seven percent across Germany. In other words: a woman with the same qualifications and length of service receives for the same work on average seven percent less than a male colleague.” DGB therefore demands legislation on equal pay that would oblige employers to pay the same wages for the same work.

(see the article “Die Männer bleiben gleicher” (Men remain more equal), Frankfurter Rundschau of 20 March.2013)
Our position

Equal opportunity and equal treatment are elementary rights of men and women. Nevertheless we see every day in many places – including in Germany – massive violations of the principle of equal treatment in employment, at the workplace and in the factory!

- Atypical employment relationships in the form of temporary employment and low-pay jobs across Europe affect primarily women
- Unequal pay for women can still be encountered in all sectors and in many companies
- Women experience significant disadvantages in access to vocational training and have considerably fewer chances of promotion
- Mobbing directed at any women who protest against discrimination is widespread
- Arbeitsmodelle zur besseren Vereinbarkeit von Familie, Arbeit und Beruf – und dies auch für Männer – werden zwar konsequent eingefordert, aber zu wenig umgesetzt

The implementation of equal opportunities, equal treatment, equal rights and equal pay for all workers – in the company, across European and globally – remains a permanent challenge for company and union representatives!
5 Wage and working standards: Decent wages, suitable working hours and a co-determined working environment

ILO conventions

No. 94 – Labour Clauses (Public Contracts), 1949
No. 95 – Protection of Wages Convention, 1949
No. 131 – Minimum Wage Fixing Convention, 1970

In many countries the situation is still a catastrophe: Only a minority of all workers worldwide are protected by a wage agreement regulating remuneration and working conditions. 90 percent of the working population has no or insufficient security in the case of sickness, invalidity and old age. More than 910 million workers have to live from an income of less than two US Dollars per day.

Inhumane work takes many forms: wages below the existence minimum, failure to pay wages for work performed, exceedingly long daily or weekly working hours, unhealthy work at dangerous workplaces, insufficient sanitary conditions and facilities, failure to provide vacation, breaks, etc..

Poor wages, ceaseless work and poor working conditions make people sick! – everywhere in the world, including Germany!
Best practice

Review of the shift models in use at Pfleiderer

“Working hours are perceived to very different degrees as being a burden by employees. The reaction depends on the arrangement of shifts as well as the actual number of weekly hours worked. No International Agreement can provide a comprehensive regulatory framework here – what is needed is a set of minimum standards.

Discussions conducted regarding such standards generated a wide-ranging, inner-company exchange dealing with modern arrangement of shift schedules. It was, for example, examined in our plants in Poland whether the shift models in use there could not be made more people-oriented and social. We are now planning to communicate the different experience we have made with different models with a view to arriving at the best possible arrangements for work shifts in different countries.”

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG)

Our position

Working hours with MASS

Intensified productivity, time pressure, tight deadlines and overtime are increasing rapidly; more and more employees have fewer scheduled working hours with increasing work in shifts and at weekends.

Over recent years, working hours have become not only more flexible, but has also become longer again. For example, in 2011

- a quarter of all employed (8.9 million) worked consistently or regularly at weekends. (in 2001 it was “only” 6.7 million).
- 9.4% of all workers worked nights (2001: 7.8%)
- 15.6% of workers worked in shifts (2001: 13.6%)

Weekly working hours are also at risk of growing out of all proportion. Around 1.92 million workers in Germany worked longer than 48 hours per week in 2011. (2001: 1.56 million)

Excessive working hours are unlawful. The number of registered breaches of statutory regulations on working hours has since 2007 risen by one third to 12,000.

And the real figure: definitely higher, more glaring, unreported and unpunished!

Excessively long and alternating working hours lead to high risks to the health of workers and increase psychological stress. Overtime in the long term also causes stress and damage to health!

(figures from : Neue Westfälische, 22 February,2013)
IFA PFLEIDERER

Appropriate remuneration

“Employees receive wages and additional benefits as remuneration that do not fall below the minimum levels established by law or by agreement and that, for work within normal working hours for the location, allow them and their families enjoy at least the minimum standard of living.

All employees are provided with clearly formulated oral and written information in the relevant language of the country regarding wage terms and the time framework for their remuneration.

Wage deductions are admissible only when required in accordance with the statutory provisions applicable in the relevant country. Employees are informed along with each wage payment regarding the amount of remuneration due and any wage deductions. Otherwise wage payment modalities pursuant to ILO convention No. 95 shall be followed, taking account of the relevant local statutory regulations.

By agreement between employee representatives and Pfleiderer, established employee incentive systems, such as bonus wages or employee suggestion system (KNIFF), can also be introduced at the international locations/plants in order to promote direct involvement of workers in productivity increases and their motivation.”

Best practice

Abolition of double shifts in the Czech Republic

“In the course of an audit at our cosmetic plant in the Czech Republic it emerged that work was regularly performed here in double shifts (16-hour shifts). The plant management persisted with its opinion that this was permitted according to Czech labour law. For the plant, this system means that ultimately one day is saved each week. In discussions with the workers at the plant, it became apparent to us that our colleagues are also responsible for this system. The reasons given included the often long distances between the place of residence and the workplace, as well as the increased earnings through higher pay rates for work on the night shift. This example shows how we were obliged also to convince our colleagues that excessively long working hours, especially when performed over a long period, are not a good thing. As a consequence of our audit, the company management removed the double-shift system.”

(Gustav Meier, former Chairman of the Central Works Council at Schwan-Stabilo)
Our position

Statutory and nationwide minimum wage

Working without being able to live from work!

Germany is one of the few countries in Europe without a nationwide minimum wage set in law. Across the country, over 6 million men and women work in low-wage jobs with hourly wage rates far below the subsistence level. The low-wage sector ultimately became the fastest growing employment sector in Germany.

Precarious work makes life in dignity almost impossible, it enriches employers and is a burden on social insurance resources. In many sectors – and not only with craftsmen and service providers – there has been a decrease in the numbers covered by wage agreements. Companies exploit the lack of regulatory basis and try to get away with providing miserable working conditions with arbitrary pay.

The minimum hourly rate of EUR 8.50 that has long been demanded by trade unions would immediately improve the economic position of around 5 million workers in Germany!

Only a nationwide and comprehensive statutory minimum wage will be able to guarantee an income above subsistence level, will curtail economic abuses and put a stop to the competitive “race to the bottom” by guaranteeing remuneration at a minimum level.

Dumping wages mean hardship today and poverty for the senior citizens tomorrow!
Industrial safety and health protection: A safe, healthy, hygienic and improved working environment

ILO conventions

No. 155 – Occupational Safety and Health and the Working Environment, 1981

A look at the global map:
On average, around 250 million working accidents take place each year, as well as 160 million cases of occupational diseases. 1.1 million people die as a consequence of work-related sickness and accidents every year.

In other words, every 15 seconds a worker dies at work, every 15 seconds 160 working accidents take place and every day 1 million people fall ill at the workplace.

The scandals reported in the media are mounting: workers are killed in a factory fire because the emergency exits were blocked, doors and windows locked and fire extinguishers defect or not even present where they should be.

Industrial safety and health protection is not so much a question of cost as an obligation of companies for the well-being and safety of their workers.
Best practice

Hazard and stress analyses
“With regard to the European factories in our group, one can be assured that they all have a very high work safety level. In each country, local regulations are for the most part reliably integrated in operational practice and implemented. The IFA has provided new impulses in this regard, e.g. in the exchange of best-practice models and continuing to make enquiries where necessary regarding certain local practices. If one looks at, for example, Germany, there have been factory agreements in place in certain plants for several years that adjusts the so-called Gefährdungs- und Belastungsanalyse (hazard and stress analyses) to the relevant operational requirements and defines the cooperation between works councils and plant management. A uniform strategy has also been pursued here for years, i.e. a consistent investigation of all psychological and physical risk factors. This also represents an important trigger for development for the European debate on this issue that we continue to pursue.”

(Frank Bergmann, Chairman of the EWC at Pfleiderer AG)

Regular review and improvements
“With the systematic recording and analysis of all reported accident, the work safety officer and the work and health committee of the works council identify the main sources, forms and causes of accidents. In 2012 they were cut injuries caused by “cutters”. In 2013, these cutters were then entirely replaced by safety cutter systems.”

(Olaf Stender, Chairman of the Works Council at Wilkhahn)

IFA PFLEIDERER

Health and safety of staff
„Pfleiderer guarantees a hygienic, healthy and safe working environment on the basis of the established findings from occupational medicine, the specific state of knowledge in the industrial sector and in the light of any specific risks in the job.

Health and safety practices are promoted with a view to avoiding injuries and sickness at the workplace (in compliance with the ILO convention No. 155) All employees receive free personal safety equipment according to the safety regulations applicable to the workplace in question, as well as suitable training regarding vocational risks and their avoidance. The parties agree that effective and permanent work protection can be ensured only when the employee is directly involved (e.g. health and safety committees).”

Employee welfare
„The company provides at every workplace sufficient drinking water, sanitation and washing facilities, changing rooms, lockers and opportunities to dry wet clothing, as well as shelters and rooms in which meals can be taken.

If employees are offered accommodation (on site apartments), this must be planned, installed and maintained so that decent living conditions are provided.”
IFA STAEDTLER

**Professional Training**

„Employees shall receive appropriate training about work-related health risks and their prevention.”

**Prevention and Social Benefits**

In line with the HIV/AIDS Code of Practice of the ILO, an HIV/AIDS education and prevention programme will be offered wherever appropriate. Should employees be offered living accommodation, such accommodation shall be designed, built and maintained in such a manner that they constitute decent living conditions.“

IFA FABER-CASTELL

**Safety at work and decent working conditions**

„A safe and hygienic working environment shall be guaranteed and implemented by an in-house work protection organization („Health and Safety Committee“). Optimum health and safety measures are supported in consideration of the current state of knowledge of the industry and of any given specific dangers.“

Our position

Industrial safety and health protection is very comprehensively regulated by national and European legislation and regulations. The works councils have in the past worked very actively towards securing effective industrial safety and health protection policies and systems. The standards currently applicable in the different companies are accordingly very high. Fewer industrial accidents, a reduction in health risks and hazards from dust, noise and pollutant emissions, and the design of more ergonomic workplaces, have been achieved.

The IFA companies providing the report in this regard have set up a systematic, monitored and documented work safety organisation in their plants.

Nevertheless, improvements in industrial safety and health protection remain one of the permanent missions of works councils, plant management, work safety officers and the workers themselves.

The IFA obliges all parties involved to implement company industrial safety and health protection as a continuous improvement process!

What is needed therefore is consistent and comprehensive working safety and a systematic work protection organisation!

The current fire catastrophes in countries like Bangladesh demonstrate:

*One single fire extinguisher does not cost much; it will, however, be useless if they are not regularly inspected and maintained, if they are difficult to access or if it is not provided as part of a regularly inspected and tested system organisation of technical devices and protective measures.*
In addition to the social minimum standards, current IFAs always also contain specific regulations relating to the special features pertaining in companies.

They also formulate certain business, environmental and employment policy goals for the development of the company in question!!

Additional regulations relate to, for example:

- climate and environment protection
- vocational and in-company training
- measures for job security
- promotion of innovations
- securing the industry’s competitiveness through investment
In-company and further vocational training

IFA PFLEIDERER

„Pfleiderer provides effective opportunity for in-house and further vocational training, in which all employees can take part in accordance with their individual skills and career plans. In this way, Pfleiderer reinforces the capacities and performance of its management team and employees by promoting in a targeted and individual way their competence and development in the company. This also includes training in working with new technologies and equipment according to requirements. Employees are to be informed in some suitable way of the relevant training opportunities available."

IFA STAEDTLER

„Employees are offered the opportunity to participate in educational and training programmes."

Sustainability & environmental protection

IFA WILKHAHN

„The products, production processes and services of Wilkhahn are to display the highest possible degree of environmental friendliness. The protection of the environment and improvement of living and environmental conditions is an essential corporate objective of all Wilkhahn companies."

IFA PFLEIDERER

„Pfleiderer is of the firm opinion that profitable business and responsible dealing with resources are in no way incompatible, but are in fact mutually interdependent. It is therefore a matter of course for Pfleiderer that energy and raw materials are to be conserved, emissions reduced and sustainable products manufactured wherever possible. Environment protection is in this sense more than just voluntary commitment for Pfleiderer. Environment protection is rather an essential element based on Pfleiderer’s corporate strategy. This sustainable approach has a positive effect on cost control, the reduction of risks as well as making a significant contribution to long-term competitiveness. The objective here is to have all operation plants certified on the basis of ISO 14001."

Job security, innovation and investment

IFA PFLEIDERER

„Through its innovation policy and a balanced investment activity, Pfleiderer is pursuing a consistent strategy of safeguarding the locations of all company segments. Sustained company development has in principle always priority over short-term profit goals."

Faber – Castell: Safeguarding Europe’s competitiveness

“Faber-Castell presents itself an internationally active company that consistently makes use of different regional opportunities. Over the past few years, and above all in the period of the international financial crisis, it has been shown that European plants are, with the quality of the goods they manufacture, highly productive and competitive. In line with the Faber-Castell motto “Preserve the flame and not the ashes”, today’s task is to further promote traditional European manufacturing locations.”

*From: Sustainability Report 2011*
Scope of application: Application to sub-contractors and suppliers

All IFAs provide for the inclusion of suppliers along the international value-added chain.

The inclusion of suppliers and sub-contractors means different things from company to company. A central role is this regard is to how certain business processes are organised, i.e. in particular the degree to which production and other activities upstream and downstream from manufacturing are based on supplies and the work of third parties.

The organisation of production by means of supplier pyramids, in which working conditions continually deteriorate from level to level, at suppliers of the suppliers of the suppliers, means that it is necessary to keep monitoring the entire supply chain and include it wherever possible within the scope of application of the International Framework Agreement.
IFA WILKHAHN

„Wilkhahn expects its suppliers and partners to apply comparable principles and regards this to be an important basis for a lasting business relationship.

If suppliers and partners fail to comply with the contents of this declaration, Wilkhahn shall examine the facts and carry out appropriate measures in accordance with its possibilities.

When assuming business relations and awarding contracts, the acceptance of this agreement shall be a prerequisite. In the process of drafting contracts with suppliers, Wilkhahn shall incorporate disclosure of the supplier’s personal data in the assessment of the supplier. Furthermore, those responsible for purchasing shall be qualified accordingly.“

IFA FABER-CASTELL

„Faber-Castell’s goal is to work only with contractors, sub-contractors and suppliers that recognise and directly implement the standards and recommendations listed above (number 2). (…) A long-term aim is to extend the company’s internal, multi-layer monitoring process to cover also suppliers.“

Best practice

Success with suppliers

“The issue of standards has today become an issue affecting terms of purchase. Even if nobody is under any doubt regarding the ability of a smaller company with little influence in the market to have much effect on suppliers, it is nevertheless important to bring up the issue of social standards at every purchase negotiation and present it to the business partner as being a term of purchase of equal importance as price and quality of the work and goods. Initial positive results are the certain, while certainly not all, suppliers have by now recognised the social conditions and changed their behaviour accordingly.”

(Olaf Stender, Chairman of the Works Council at WILKHAHN)

What to do about failure to comply?

“Suppliers are obliged to comply with the Social Charta presented by STAEDTLER, in which regard a voluntary disclosure is demanded. Following Audit 2010, a Chinese supplier was cancelled from among the company’s supplier partners when it refused to provide the required information.”

(Jürgen Schlicht, Chairman of the Central Works Council at STAEDTLER)

External auditing of suppliers

“The company lets its suppliers sign an undertaking in which they commit themselves to complying with the social standards. Suppliers are also visited in the course of the different audits – hitherto in Malaysia, China, Brazil and the USA. Stabilo has its suppliers audited by “Fair & Human”. Such audits have hitherto been carried out in 15 companies in China, Japan, Thailand, the Czech Republic and Germany.”

(Dieter Pfister, Chairman of the Central Works Council at Schwan-Stabilo)
Best practice

Social obligations of our suppliers

“Having defined it as a long-term objective and also agreed it with the trade unions in its Social Charter, Faber-Castell intends to work only with suppliers who fully accept the provisions and terms of the Faber-Castell Social Charter and who incorporate the requirements of ILO in this regard into their own policies and goals. Currently, the first steps have already been made towards binding suppliers to the social and environment standards of Faber-Castell by requiring them to issue voluntary declarations; audits are also carried out with selected suppliers. The company is also planning, once further practical experience has been gained from selected plants, to implement a globally uniform web-supported questionnaire system, supported by supplier audits.”

(From: Nachhaltigkeitsbericht 2011 / Gisbert Braun on the PASOC-Conference in October 2012)

IFA PFLEIDERER

Contract partners, sub-contractors, suppliers

“Pfleiderer attempts to work only with contractors, sub-contractors and suppliers who recognise the above principles and implement them in their own works. Pfleiderer shall in this regard inform contract partners regarding the agreement hereby concluded. Voluntary information provided by suppliers in this regard will in future be included in our supplier assessment.”

Our position

In the globally organised production networks with international contract partners, supply chains are constantly becoming more elaborate, more complex and less transparent. It must therefore be ensured that suppliers and sub-contractors are always fully aware of the Agreement and that it is made clear to them by the company placing the order that their compliance with its provisions is expected. Many companies are deciding to obtain a contractual undertaking from their suppliers to comply with the International Framework Agreement.

This will, however, always also entail the practice of monitoring compliance with this undertaking and ensuring consequences in the case of any infringement!

Influence on suppliers is not always uniformly guaranteed, as it depends very much on the commercial capacity of the company to assert such influence. Corporations going through an economic and financial crisis situation – such as Pfleiderer in 2012 – have only a certain limited freedom of action in relation to their leading suppliers. If companies are concerned for financial reasons about being able to receive sufficient deliveries in the future, then the interest in extending its IFA to cover its suppliers will obviously be not so intense.

It will then be the responsibility of the works councils not to lose sight of the company’s economic development and, when the time is right, bringing “IFA obligations” back onto the agenda for negotiations with suppliers!
Conflict regulation: Negotiations in social dialogue

Clear regulations on conflict with a graded approach model will benefit both sides.

They are useful because they

- safeguard the right of workers to lodge complaints and establishes a systematic management process for investigating and removing grievances;
- guarantee the company and union representatives of workers at the relevant location (i.e. each individual plant in Germany and abroad) the prime right to investigate an issue and resolution of the conflict;
- obliges both parties in the dispute to undertake dialogue and attempt negotiated settlement as a first step.
All International Framework Agreements include a right of both sides to cancel when all other options have been exhausted.

However, not one single International Framework Agreement has ever been cancelled so far!

IFA FABER-CASTELL

„Every production and sales company is responsible for the adherence to the agreement. Any and all disputes which cannot be settled on the spot shall be transferred to the monitoring committee who will review the facts and propose corresponding measures.“

IFA PFLEIDERER

„In the event of some complaint or breach of this agreement, the following procedure will be followed:

a) The complaint is first discussed between the local employee representatives and the local management.

b) If the matter cannot be rectified within the company in this way, it will be referred to the relevant trades union, which shall then discuss the matter with the company.

c) If no solution is found, the PASOC-Monitoring Committee the reference group will investigate the matter and propose suitable remedial action.

d) If the conflict also cannot be resolved within the PMC and breaches of the agreement continue, cancellation of the agreement will be considered the final option.

e) The undersigned parties to the agreement agree that any differences that may arise from interpretation or implementation of this agreement will be examined jointly with a view to obtaining clarity in the matter. “
Implementation: processing and monitoring

The continuous implementation and systematic monitoring of the IFA is a joint task of the management, works council and trade union.

It is an advantage when the management’s obligations to implement as well as responsibilities for processes at the management level have been agreed in detail. This also facilitates monitoring compliance with obligations by the employee side.

One indispensible element is the creation of a joint commission as a central managing and coordinating point for joint IFA management. This will establish where implementation with the IFA is being monitored, how results are to be assessed and where there is room for improvement.

All costs arising in relation to IFA implementation shall be borne by the company.
**Best practice**

**Systematically implementation at Wilkhahn**

“Works council and company management have already commenced a series of measures with a view to active implementation of the IFA Convention. These include secure standards (such as fixed employment relationships, payment of agreed tariffs, worker involvement in certain business decisions, a company old-age pension scheme, in-company training and vocational education measures), modern work organisation (group and project work), a company system for worker suggestions and improvements, ergonomic workplace design, investments in industrial safety and health protection, ecological responsibility and environment protection (pollution-optimised production, transportation, packing, waste management).”

*(Olaf Stender, Chairman of the Works Council at Wilkhahn)*

**Implementation of the IFA as part of the target agreement for all company directors**

“Implementation of the Social Charter within the corporate group is guaranteed by clear regulations. Following comprehensive notification of all company locations, the Social Charter was incorporated into the company’s purchasing guidelines. The criteria for compliance with the Social Charter are also reviewed in the context of the audits of our internal auditing.

STAEDTLER in fact goes even one step further. For the first time in the writing and drawing utensils industry compliance with internationally applicable principles is included in the agreed targets for all directors in Germany and abroad and consistently implemented. This makes social justice and responsibility at STAEDTLER a matter of top priority at management level.

Our goal is never to stop improving. All ideas and suggestions arising from our monitoring, taking place every two years, are therefore considered and examined from the point of view of practicality. One example of a central result of the monitoring of our German locations that can be mentioned here is the signing of a factory agreement for the use of temporary workers.”

*(Jutta Hubmann-Bähr, HR Director at STAEDTLER Mars GmbH & Co. KG)*

**IFA PFLEIDERER**

„Pfleiderer shall ensure implementation of the agreement at the different locations by taking suitable internal measures. These include specifically:

- information and explanation
- integration in management systems and controlling
- assigning responsibilities on site
- inclusion in any applicable manuals and directives
- inclusion in purchasing instructions and agreements with suppliers, wherever possible
- establishing obligation to report to executive board and local management
- inclusion in the internal international audit plan; audits will in this regard take place in cooperation with local employee representatives/unions

A PASOC-Monitoring-Committee (PMC) will be set up, consisting of 3 representatives of the Pfleiderer group, one representative of the relevant member unions of the BWI in the home country of the company (currently IG Metall), one BWI coordinator and an employee representative designated by the European Works Council of Pfleiderer AG from the home country of the company (Germany).

PMC will meet once each year at the domicile of the company to review reports on compliance with the agreement and its practical implementation. All members of PMC shall be provided with the information necessary for carrying out their assignment (monitoring and audit reports).

Pfleiderer shall bear the costs arising in the context of carrying out tasks related to PMC.

PMC shall issue a biennial report on the present agreement which shall be incorporated in the management report and the sustainability report of the Pfleiderer group with the consent of the undersigned parties to the agreement.”
Our position

The continuous implementation, monitoring and further development of the IFA is not only the responsibility of the joint monitoring committee at the corporation headquarters. This can verify and review such compliance only in parts and by way of spot checks. The time interval between external audits is often long for establishing continuous improvements, as well as lack of action, in IFA implementation.

Works councils and trade unions are therefore called upon to establish their own ways and means. In all local audits held in Germany and abroad, it must always be taken into account that the local workers’ representatives and trade unions are also always involved and included. Ongoing IFA implementation must also be constantly accompanied by local work committees.

In many companies, IFA implementation has become the preserve of the works council, central works council or the EWC chairperson. Much better and more effective, however, is when responsibility is spread over several people in the body in question. According to the assignment of responsibilities in the works council (e.g. for recruitment, personnel, questions of working hours, industrial safety and health protection), IFA issues can be assigned in this regard and put into operational practice.

When delegated in this way, implementation of the IFA will become a regular topic at meetings and in the company’s information and PR work.

Best practice

One step in the right direction in Poland

“Despite the fact that the Social Charter has been in force for only two years, some positive effects can already be noticed in companies based in Poland. An international audit has been carried out to review implementation of the agreement in Grajewo and in Wieruszów. The work of the audit made the company management and the workforce aware that this Agreement also applies to the Polish locations. The management style began to change then and thereafter.

One further as yet unsolved problem is the access to information. Both the workers’ council and the trade union organisations, and thus also the workforce, have access only to information that has been carefully selected by the employer. This renders it impossible to find out and assesses the business and financial situation of companies. This situation is in breach of the provisions of the International Framework Agreement.

One further problem is the lack of transparency in the individual employment contracts that are used by the employer when recruiting personnel.

Following the audits, the social dialogue between employers and workers’ representatives assumed a positive significance. We are, however, still unable to report regarding any joint approaches and projects by the employer with the organisations representing workers’ interests. These audits have, however, led to discussion and agreement regarding common projects.”

(Piotr Morta, member of the EWC, Pfleiderer Prospan S.A. Wieruszow, Poland)
Best practice

New motivation
“Publicising and reminding of the basic idea requires a constant effort in all group companies. Among many workers there seems to be widespread mentality of not taking but providing, which means that those responsible for the subject will constantly have to report, motivate and activate. Because there few personnel resources are available, those responsible will need to have patience in waiting and keeping the IFA process present as an issue. Participation in the PASOC project and exchanges with colleagues from other companies in our sector have given up new incentive and motivation in this regard.”

(Olaf Stender, Chairman of the Works Council at Wilkhahn)

Exchanges and information
“At the factory level, it is unfortunately an issue only for certain lone warriors. It is not always easy to keep colleagues interested and involved, even at the works council level, and convinced of the importance of the Social Charter. It is, however, important that the exchange of information continues to be ensured. Only through mutual information and learning from practice of how IFAs function best can all of us who work with the agreement be brought a step further towards improvement.”

(Dieter Pfister, Chairman of the Central Works Council at Schwan-Stabilo)

TIPS AND RECOMMENDATIONS

on implementation and monitoring of International Framework Agreements

(1) The involvement of national and local trade unions has a central role to play in the implementation of the agreement. There is therefore a need for intensive agreements regarding targets and the best approach to be taken.

(2) Monitoring the provisions of the agreement (monitoring) is not possible by means of spot checks. What is required rather is trigger a top-down process starting with the central company management, which will lead to regular and systematic improvements. Spot checks can be used merely to verify that the process that has been commenced is actually having an effect (verification).

(3) Those involved will first have to learn that in other regions of the world the form of negotiation are often quite different to those they are familiar with.

(4) It is not possible to demand and ensure from supplier company something that is not heeded and implemented in your own company. It can therefore be seen that what is necessary as a first step is to change the conditions obtaining in the production locations of the company that entered into the agreement in a way that is so transparent that it can be transferred to other companies.

(5) The removal of grievances is a process, i.e. improvements must be visible from audit to audit (and should at the same time be considered worthy of reporting).

(6) By international standards, the cooperation with the BWI, being the relevant global trade union federation, is an indispensible condition for progress. The benefits are mutual: BWI “learns” from national and local partners. Conversely, global trade union organisations will be visible when they are included in the implementation of international framework agreements.

(Bert Römer, IFA officer at IG Metal and at BWI)
Participation: Information and awareness

**IFA – Survey 2012**

The survey conducted within the framework of the PASOC project in the late summer of 2012 and involving approx. 160 members of works councils and trade union representatives must have a sobering effect despite the clear obligation to provide information by Management:

The IFAs and their contents are not being adequately communicated to the workforce! Management staff and plant supervisors are often doing too little here.

The workers’ representatives in the works councils and trade unions must take additional measures here.

The IFAs must be made familiar to the workforce, members and trade union representatives in the company!

Achieving this is the ongoing task of the works councils and trade unions.

Only if the IFA is well-known among the workforce and in use in daily operations can it have an impact finding solutions to company problems and requirements in the sense of “good work” and fair working conditions.

This also reinforces the significance of the IFAs as a co-determined instrument for workers’ representatives with the aim of asserting and safeguarding fundamental minimum social standards in a global framework.

**IFAs that only exist on paper are of no use to anybody!**
The survey conducted within the framework of the PASOC project in late summer of 2012, involving approx. 160 members of works councils, shop stewards and union representatives in Germany and Poland has shown that the workforce is not very familiar with the IFAs and their contents!

The results of the survey indicate a considerable need for improvement of the state of information and the influence of the workers’ representatives throughout the company, the level of awareness of IFA agreements, their practical relevance or their concrete benefits from the perspective of the employees, as well as in the understanding of the works councils and shop stewards.

On a European scale there are also considerable differences in the information policies of the companies and in the collaboration between local Management and the workers’ representatives in the plants.

In all IFAs companies are obligated to make the terms of the agreement known in suitable forms, using the company’s usual media and in the respective language of the country.

PFLEIDERER „informs the company staff regarding this agreement in the relevant national language."

WILKHAHN „The management of each company shall be responsible for compliance with the principles. The agreement shall be made public to the employees at all locations in the language of the country respectively."

FABER-CASTELL „The agreement („Faber-Castell Social Charter“) shall be made accessible to all employees in their respective languages. The implementation results shall be published internally and externally by means of appropriate means of communication (e.g. Faber-Castell Newsletter, Homepage)“. 

The main findings of the IFA survey at a glance
Awareness in the company

Continuous flow of information and involvement of the workforce is an ongoing task, even within those companies having numerous years of practical experience with IFAs.

More than three-quarters of those interviewed know of the existence of an IFA agreement.

However, significantly fewer employees (only approx. one-third) are familiar with the specific contents and regulations of their agreements.

A vast majority (almost two-thirds) see themselves as insufficiently informed about IFAs.
Significance of the agreement in
the company

The IFA is an important platform for
the structure of labour and social
standards – according to the assess-
ment of about two-thirds of those
interviewed.

However, this initially clear result is
relativised once the interviewees are
asked about the concrete benefits of
the IFA regarding the representation
and structure of the company’s inter-
est.

Many co-workers do not sufficiently
recognise the direct connection be-
tween the IFA and the representation
of their interests in the workplace.

Only a minority of those interviewed
confirmed that IFAs provide additional
support in their daily workday situa-
tions – e.g. in negotiations and agree-
ments with the employer.

This also applies to the work of the
local works council. There is no con-
nection drawn between the IFA and
achievements of the works council, for
example regulation of temporary em-
ployment, improvements in occupa-
tional safety and health standards and
improved pay for women.

The survey makes the following clear:
The agreements are regarded by the
majority of works councils and trade
union representatives as unclear and
therefore less important for the prac-
tices of the works council.

The practical relevance and concrete
benefits for all employees must be
better structured and also efficiently
communicated.

The framework agreement is an important
platform for structuring social standards in
our company

The IFA has positive effects on ...

a) negotiations with Management

b) completion of company agreements

c) the current work of the works council
IFA – Survey 2012

Awareness and propagation

The works council plays the main role in raising awareness about the IFA. A look at all the information channels to the workers indicates that approx. 90 of those interviewed had been informed.

Only 11% of those interviewed regard themselves as being informed by Management.

The activities of Management staff are not reaching the employees – or not to a sufficient extent. The obligation to spread information about the IFA in the company is obviously not being sufficiently met.

Company public relations

The works councils, workers’ representatives and the workers themselves in the locations want to be regularly informed about the status of IFA implementation.

The works council is to play a central role in this. Ongoing company public relations about the IFA is expected of them.

In what way should the information be distributed – and what are the most important channels?

The survey shows that all locations, media and information channels in the company are equally important and should therefore be jointly used in accordance with the possibilities offered by the respective companies.

Shop-floor meetings and department meetings offer the advantages of live discussions and active involvement.

I found out about the agreement through ...

<table>
<thead>
<tr>
<th>Information Source</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Works council</td>
<td>45%</td>
</tr>
<tr>
<td>Trade union</td>
<td>16%</td>
</tr>
<tr>
<td>Shop-floor meetings</td>
<td>16%</td>
</tr>
<tr>
<td>IG Metall</td>
<td>11%</td>
</tr>
<tr>
<td>Colleagues</td>
<td>7%</td>
</tr>
<tr>
<td>Management</td>
<td>5%</td>
</tr>
</tbody>
</table>

Multiple answers N = 157

I would like to receive regular information about the status of IFA implementation ...

a) From whom?

<table>
<thead>
<tr>
<th>Source</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Works council</td>
<td>67%</td>
</tr>
<tr>
<td>Management</td>
<td>67%</td>
</tr>
<tr>
<td>Trade unions</td>
<td>65%</td>
</tr>
</tbody>
</table>

Multiple answers N = 157

b) Via which channel?

<table>
<thead>
<tr>
<th>Channel</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internet</td>
<td>67%</td>
</tr>
<tr>
<td>Newsletter</td>
<td>64%</td>
</tr>
<tr>
<td>Shop-floor meetings</td>
<td>70%</td>
</tr>
<tr>
<td>Bulletin at the company</td>
<td>83%</td>
</tr>
</tbody>
</table>

Multiple answers N = 157
3. Practical assistance: IFA-Management in the company

In the small- and medium-sized companies with international production locations which are involved here, internationalisation of the structures, processes and decisions in Management are a routine matter – but not with respect to workers’ representatives. There are a number of causes for this.

The national collaboration between workers’ representatives across all locations is regulated on the works council side by the group or the central works council (in Germany) and by EWCs on the European level. International cross-location collaboration of the work’s council’s representatives beyond the borders of Europe, however, has neither a legal foundation nor do the voluntary agreements in the IFAs provide a regular or permanent cooperation. As a rule, contacts are not systematic, but rather restricted to contacts and visits that arise due to a situation. In small- and medium-sized companies in the wood sector there is often a lack of formal legal prerequisites for the establishment of EWCs. Therefore, in the sub-committees of the works council there is no constant flow of information about the international activities of the company or, if there is, it is restricted to participation in the supervisory board and its duties.

The use of International Framework Agreements for building up modern guidelines for participation and cooperation is just another approach for enforcing the interests of the workers. IFAs are not the only source of information but rather an additional one and also a further instrument for participating or having a vote, which must be recognised and taken advantage of in a strategic combination with other possibilities (economic committee, supervisory board etc.)!
3.1. Improvement of information, participation and cooperation

“Do good things and talk about it!” – This is how one could formulate the mission of the bodies representing the workers and their trade unions who handle company public relations work about IFAs. If, however, the “international information situation” the company is bad for the national workers’ representation, then it is even worse for the employees. For this reason it is vital to have a continuous flow of company information and public relations work that will reach as many employees as possible.

Promising steps and activities in this regard include:

➢ Company public relations work on IFA

The best platform for public relations work in the company is the shop-floor meeting. This is an opportunity to regularly inform the workforce about not only their specific location but also the overall company. Reports of the works council and Management can include info about the implementation of International Framework Agreements in all locations – including those abroad – and can address issues pertaining to tariff agreements and working conditions.

➢ Information channels and media forms

Implementing these topics (as mentioned in the examples above) into all other information channels and media forms for the workforce (intranet, notifications, works council news etc.) is above all a question of who should do what, who has what information and who can process it.

One good approach would be, for example, projects of trainees dealing with the social and ecological sustainability of the company. For such projects, all available data is compiled and presented to the workforce at shop-floor and/or department meetings.

Central questions (examples)

Clarification by the works council:
- What are the results of the social audit in our subsidiaries?
- What are the works council and trade union doing in our plant in Brazil?
- What information do we have about the working conditions in the facilities of the overall company and its service providers and suppliers?

Questions to Management about reporting in shop-floor meetings:
- Do we have a system in place for controlling the social standards of suppliers?
- Can Amazon-like conditions happen in our company?
Trainee project and training unit on IFA at Schwan-Stabilo

New trainees and apprentices at Schwan undergo a project week once each year on some social topic. The results of the project work are then presented at the end of the project week. A workgroup was assigned the topic “The Social Charter at Schwan”. The motives behind and background to the creation of this agreement were investigated, ILO standards were presented, the contents of the IRV were discussed and presented. On the basis of this group work and the trainees’ presentation, a training unit was provided in 2007 for the first time on the subject of the “Social Charter” for all trainees by the chairman of the Central Works Council, Gustav Meier.

“The exchange of ideas was very intensive, as all trainees were able to bring their individual opinions into the lessons. They also very quickly recognised the need for fair working conditions to be established throughout the world, and that few good things happen by themselves, but that each one of us must support as much as possible people who may not have any lobby in their own countries. This trainee project was a great success, and the lessons extended way beyond the time originally allotted them.

I strongly recommend that such projects are carried out again in the future. Young people were great to work with, they were eager to learn and get involved. This also gives rise to other long-term effects and benefits: the trainees of today will tomorrow be in various key functions in the company. There are grounds to hope that their involvement with the issue of the “Social Charter” today will also positively influence their actions in the future”

(Gustav Meier, former GBR-Chairman at Schwan-Stabilo)
International support and cooperation with trade unions

BWI Building and Wood Worker's International

Building and Wood Worker's International (BWI) has negotiated and signed around 12 IFAs. The BWI uses and systematically regulates IFAs as an instrument for organising trade union matters and to support the structures of member trade unions.

The BWI has a worldwide network through its member trade unions and it has regional offices and is involved in audits in the global locations of the companies.

Regular reporting, evaluation and strategy debates take place in the regional conferences, at the World Congress and in the committees.

➤ European collaboration in the EWC

A good basis for transnational cooperation is provided by regular EWC meetings and European cooperation in the bodies and committees of the EWC on the group level. These, however, are generally limited to the European region. There is detailed material available about the activities of the EWCs and the support offered by IG Metall (see also IG Metall extranet EWC), the European Trade Union Confederation and the national trade unions.

➤ Company-wide exchange on IFAs

For the past two years there has been a regular exchange across all sectors and companies organised by the department for international affairs of the IG Metall board of administration. This creates a platform for the sharing of experiences, development of strategies and improvement in handling IFAs. At the last meeting in October 2012, for example, the audit procedure in the companies as well as the role of suppliers were dealt with.

➤ Cooperation of IFA companies in the wood industry

For the wood industry in Germany – here IFA companies include Pfleiderer, Wilkhahn, Faber-Castell, Staedtler and Schwan-Stabilo – there is the option of exchanging the information and practical experience of the workers’ representatives in the form of sector-oriented seminars (writing utensils industry) and also on a more comprehensive basis as a part of the IG Metall work for the wood/furniture industry.

At the PASOC conference in October 2012 it was agreed that the first IFA seminar will be carried out in the autumn of 2013 and that this practice will then be repeated once a year.
3.2. Overall responsibility and integrated IFA management

There are international agreements which only have little impact on the reality of the company and which are often relegated to the “gallery”. In order for a successful model for better working conditions in a company to emerge from an agreement, the question of how the structures, scope of responsibilities and implementation of these agreements are regulated and handled is not significant.

Practical experience with the implementation of IFAs has shown the absolute necessity of setting down the areas of responsibility, including resources, right from the beginning of negotiating the agreement. Normally the company’s personnel / legal department will be responsible for these matters. This may not be advantageous for the implementation.

For example, a broad range of competencies is necessary for carrying out audits with the entire spectrum of social, technical and organisational issues. Additionally, the personnel department can more easily encounter a conflict of interests, as it cannot assume a “neutral role as auditor” in keeping with the basic principles for carrying out audits. For example, if the personnel department is responsible for mistakes in procedures pertaining to contracts, payments or temporary employment. It is very difficult to examine one’s own practices in a neutral and objective way in an audit. Either the personnel departments look to the company’s specialist departments for support or the department with the specialist knowledge, competence and authority assumes this function.

**Best practice – The example Faber-Castell**

A well-functioning model is the integration of three areas of responsibility – environment, quality and social issues – in one overall management system. This model comes into play at Faber-Castell.

In March of 2000 Faber-Castell and IG Metall signed the worldwide valid Faber-Castell Social Charter. This document obligates Faber-Castell to guarantee the same standard of employment and working conditions such as those recommended by the International Labour Organisation (ILO). In 2008 this Social Charter was expanded in collaboration with the global trade union BWI to include a clause on “contracting partners, subcontractors and suppliers”.

**Compliance with the Social Charter is examined at regular intervals. To this end a control mechanism was introduced in three phases, which includes not only internal but external bodies.**
The first phase consists of each plant providing information about itself in social checklists. These lists are then centrally analysed and the current status is recorded. As a result, Management at head office is given regular reports by Management staff at the locations through implementation and compliance of the International Framework Agreement (Social Charter).

In the second phase, representatives from the personnel department of head office, in connection with quality assurance, carry out internal audits in the worldwide Faber-Castell locations on a regular basis. Head office of the company reports any unsolved problems in the Annual Report.

In the third phase, all company locations of Faber-Castell are checked every two years by an external monitoring committee comprising representatives of both local and head office Management as well as employees (workforce and union representatives at the locations as well as representatives from BWI and IG Metall), to ascertain whether the internal audits are actually having the desired effect and whether implementation of the framework agreement is proceeding as expected. Regular training courses on the eight points of the International Agreement for both Management and other employees ensure that the Social Charter remains present in all plants worldwide.

These so-called verification audits are announced two to three days beforehand and function somewhat like an economic committee. Local Management is obligated to report on the current situation, to what extent identified problems from the previous report have been rectified (progress status) and how existing problems are to be eliminated. On the basis of statistics, the monitoring committee discusses and together decides whether the progress that has been made – e.g. reduction of works accidents in Costa Rica or decrease of the high percentage of temporary employees in India – and whether the suggested corrective measures (corrective action plan) are acceptable or not. Alongside this training and the involvement of local Management, site inspections are carried out, which, however, play only a supplementary role.
Since the introduction of the Faber-Castell Social Charter 13 years ago, numerous positive effects have been achieved:

- The Social Charter provides a solid legal basis for upholding the requirements for social, labour and health protection in one’s own company and in the supplier chain.
- Cooperation with trade unions on the national and international level was strengthened.
- Uniform trade union work in all companies of the Faber-Castell Group was enabled, as well as completion of tariff agreements insofar as possible.
- Positive effect on suppliers in terms of acceptance of the ILO criteria.
- Communication and collaboration between the workers’ representatives and Management were strengthened.
- Continuing improvement and identification of weak points through regular internal and external social audits. For example, divergences from the Social Charter in India were made known, but these could be analysed and solved in collaboration with the BWI.
- Implementation of noise reduction measures at the locations. Employees were provided with modern personal safety and protection equipment and ergodynamic measures such as lifting equipment.

“Due to a technical defect, in 2011 a fire broke out in the Faber-Castell production facility in India. Although the building was completely destroyed, none of the 200 workers suffered injuries. ‘Due to improved fire protection measures a catastrophe could be avoided’, assumes Bert Römer from IG Metall. The location in Goa and its employees were not simply abandoned. The factory is currently being rebuilt and the workers are still receiving their wages, also for the period during which no pencils or erasers could be produced. This voluntary intervention is over and above the core labour standards of the ILO and the Social Charter.”

(Sarah Riffelmacher/Gisbert Braun Faber Castell 2012)
Integration of the IFA in the corporate philosophy:

“Earning ‘decent’ money through decency”:

Anton Graf von Faber-Castell’s foreword in the Sustainability Report of 2011 provides a good example for understanding the role of IFAs.

„Well-run family businesses are characterised by values such as sustainability, social and ecological responsibility and human virtues such as tolerance, humility and honesty. My great-great-grandfather Lothar von Faber was an entrepreneur with an extraordinary sense of social responsibility and the following generations still today see it as their obligation to follow his example.

The Social Charter that was signed in the year 2000 prohibits, among others, discrimination and child labour, while protecting our employees against exploitation. The agreements of the International Labour Organisation (ILO), upon which we base our philosophy, are in my opinion simply a matter of course in business.

In order to achieve long-term success one must think in terms of generations. For me as an entrepreneur it is an important issue to not do business at the expense of my successors and that also means finding sustainable sources for our most important raw material, wood. These sources should not be to the detriment of the environment or the human race. For this reason around 30 years ago Faber-Castell initiated a forest project in Brazil, which was certified by the ForestStewardship Council® (FSC®) as an ‘environmentally friendly, socially responsible and economically sustainable’ project.

I do not think much of short-term endeavours just to make profits. The ability to generate sustained profits is vital for a company which strives for long-term success. For me it is a foregone conclusion as a businessman, in a double sense of the word, to earn ‘decent’ money with decency. Decency that is based on values such as social and ecological responsibility, trust, honesty and fairness in dealings with others can definitely be united with a healthy striving for earning power, because only profitable companies can also afford social and ecological responsibility. Our healthy economic position and the recognition we receive from our business partners tell me that we are on the right track.”
Integration in management processes

The International Framework Agreement of Faber-Castell has been firmly anchored in its corporate philosophy and management process. A central building block has been the implementation of the FABIQUS management system.

FABIQUS stands for Faber-Castell’s integrated management system for quality, environment/safety and social responsibility.
Continual improvements instead of individual results based on control checks

Implementation of IFAs using audits is done according to the rules of “continual improvements” and aims at building up a sustained process of improvements. So therefore it is not only a matter of achieving the individual technical or organisational improvement of working conditions, but rather the constant further development of these factors in one process.

The integrated management system of Faber-Castell

- Multi-site certification -

Essential aspects:
1. Uniform management system (on the basis of a uniform document management system)
2. Uniform standards and reporting system
3. Uniformly regulated responsibilities and implementation of the factors quality, environmental protection, wood industry and social responsibility
4. Spot-check audits by certifier
5. Execution of internal audits at each location by internal audit teams
6. Plant audits by head office (audit team: auditor from head office and one from another plant)

MAXIM: Utilisation of audits for process improvements and to ensure maintenance of quality, environmental and social standards.

The social criteria of the International Framework Agreement are always only the prerequisites and point of departure for improved company practices. In a company with a long-term corporate policy, this concept leads to the entire company introducing shared principles in terms of social responsibility, while applying high social standards.
3.3. Audit – Master Plan

Exemplary organisation and procedural model for best practice

The systematic preparation and planning of an audit will determine its success.

In collaboration with all those involved the person in charge must communicate and coordinate the timing, costs, technical procedure, expectations and requirements, as well as the results of the audit. This task is very demanding and necessitates good comprehension and clarification of the audit process. Ideally, even unannounced audits would be an option, but in practice these are unrealistic and only the control aspect would be in focus.

The following text from a notification of impending audit shows a good example of preparation:

„Dear Madam or Sir,

Within the framework of the signing of the Social Charter by Graf von Faber-Castell and the IG Metall trade unions as well as the international trade union BWI (Building and Wood Workers International), monitoring audits are carried out every two years in accordance with the Social Charter in the three Faber-Castell regions (Europe, Latin America and Asia/Pacific). The participants of the audit include plant supervisors, heads of personnel, representatives of the works councils of the plants and trade union representatives of the respective countries and of IG-Metal Germany.

The monitoring audit for the region of Europe was set for ....; this date was already announced by telephone in advance.

Attached you will find the current agenda and a list of participants. Please let us know whether any other people from your plant or trade union representatives from your country will be taking part, so we can plan accordingly. The plant supervisors and heads of personnel departments are requested to prepare presentations, as per the attached PowerPoint file and to give these presentations according to the agenda.

If you should have any questions or remarks, please do not hesitate to contact us.“

An important aspect here is the role of each participant and their personal preparation. Data must be prepared and presentations need to be made. It will take several weeks to inspect the documentation, fill out the checklists and prepare the presentations.
2. Participants

All those taking part in the audit will be set down in the agreement.

Plant supervisors, heads of personnel, representatives of the works councils of the plants and trade union representatives of the respective countries as well as representatives of BWI/regional office and IG-Metall. Additionally, if necessary or upon request or depending on the focus of the audit process, representatives from specialist departments of the company (department for occupational safety / protection, internal revision, environment and procurement in the case of supplier audits) are called in.

The audits are handled and carried out by the “neutral auditors” (Management representatives and IG Metall or BWI). They also play a role in moderating conflicts and ultimately take responsibility for recording the audit.

3. Handling and execution

The first execution of a “social audit” is a learning process for both the location and the participants. Being the subject of a “social audit”, carried out by another company, can take some getting used to for many managers. Audits are about taking a very close look at the internal processes and conditions at the location. The fact that this does not always take place without causing irritation or resistance is understandable, but is nonetheless necessary. This is the job of the auditors.

Follow-up audits. In the case of follow-up audits the procedure, priority and importance of the individual position is considerably clearer for those involved. The presentations reflect the status and measures to be taken from the last audit and show the progress in improvements and/or the elimination of defects.

4. Initial and follow-up audit
The concept on which the execution of the audit is based is characterised by the approach of the auditors. Ideally the head auditors see themselves as “neutral evaluators” who use the social criteria of the Social Charter or the respective agreement to attempt to obtain an objective overview of whether these are being observed and implemented. In companies where other audits of customers or quality/environment audits have been carried out, this procedure is more familiar and the norm.

The costs for the execution of the audit are borne by the company insofar as this is regulated in the agreements. This encompasses, for example, the travelling costs, accommodations, material, transport etc. of all those involved in the audit. It is important to clarify these matters in the preparation stage. Here it is helpful to observe the basic principal: costs incurred at the location shall be borne by the plant, all other costs to be covered by the head office of the company in charge of the audit.

For initial audits and in some cases for follow-up audits as well, standardised checklists – tailored to the respective location (translated into the language of the country) – are prepared and used. *(Please see exemplary checklist in appendix)*

The checklists should be provided to the plants about two months in advance, to allow enough time for preparation of their data and presentations. Processing of the checklists during the audits as a guideline for meetings and as part of the documentation of the results of the audit provides very detailed information about local conditions.

The following documents, for example, are also of interest for the assessment and should be examined:

- Personnel statistics (regular employees, temporary employees, fluctuation, sickness)
- Work documentation (overtime, overtime pay)
- Accident reporting
- Fire protection
- Overview of wages / salaries and tariff regulations
- Written work contracts (spot-check)
8. Site inspection

The auditors themselves determine which areas they want to see and also decide upon the procedure for the site inspection.

A site inspection – preferably during production and in all relevant areas – accompanied by supervisors from the plant in each individual area – is just as much a spot-check as the audit itself. But to the knowledgeable auditor, a site inspection offers enough criteria for assessment of the quality of the working conditions and the equipment at the work stations.

Deficiencies but also positive examples are often documented during the site inspection by taking photos and shooting videos and are made available immediately (presentation) for discussion of the results of the site inspection.

As a rule, the focus of the site inspection is on the following areas (non-inclusive list):

- Safety and health in the workplace
- Noise in work areas
- Ergonomic deficits
- Lighting in the workplace
- Climate and ventilation
- Hazardous substances (storage, transport)
- Social facilities (canteen, staff rooms)
- Condition of sanitary facilities
- Fire protection equipment, fire escape routes
- Danger from machinery
- Company medical first aid services and other facilities
- Recreational facilities
- Company social services
Interviews are conducted with the workers about working conditions, work contracts, wages, overtime, trade union activities and all other topics relevant to the site inspection or which may arise during its course. The interviews should take place without any intervention by a supervisor. Local representatives of the trade union help the auditors approach the employees for these interviews and establish contacts as well.

In order to assess workplace environmental pollution, spot test can be carried out to measure leading factors such as noise, lighting, etc. The data are then made immediately available for evaluation purposes and possibly further checks and for any measures that become necessary.

National characteristics and local cultures must be taken into consideration in the audit process.

**Example housing**

For companies in Asia – particularly in China – the roles of journeymen and migrant workers are of special significance and must be examined accordingly. Site inspections therefore also include the inspection of living quarters of the workers, who live in dormitories. The improvement of the living situation, bed allocation, meals, trips home and family are all topics of great significance for these workers. Audits can be instrumental in the elimination of grievances and introduction of improvements. As fluctuation is particularly high in plants in China and loyalty to the company does not play a very major role, wages and salaries as well as living quarters have a considerable influence on the workers.
12. Limits to the audit processes

Although the audit process can reveal an absence of surveillance systems or structures of a legal state, it cannot counterbalance these factors.

**Example India**

National working cultures and the existence of caste mentalities prevent a better working environment and hinder social progress.

![Image of India](image)

**Example Poland**

Labour law in Poland enables employment of temporary workers in rotating “chain” fixed-term contracts.

**Example USA**

The reactionary labour laws of the United States hinder the establishment of trade unions and ensure only minimal rights for workers. For example, written work contracts are not the norm but rather a notice with the work conditions offered by the company suffices. Termination of employment is possible at any time without a valid reason etc.
In a “social system check” existing regulatory systems, guidelines and documents are examined.

The focus is on the following documents, which guarantee a precise evaluation of working conditions:

- Wage agreements used in the company, other company agreements
- Give an insight into wages and working conditions
- Labour contracts show the standard of individual contractual provisions
- Personnel lists according to employment status (regular employment, temporary employment etc.)
- Official protocol of occupational health and safety inspections (deficiencies, injunctions)
- Systematic health and safety organisation, methods used for regulating occupational safety
- Regulations for cleanliness, hygiene, safety and order in the work areas
- 5 S system as an example
- Company social services

It is expected that the above mentioned documents or a copy will be made available for reading. Refusal to provide the necessary documentation would lead to a negative note in the audit. Access to the internal company matters and documentation is based on a foundation of trust between the contracting parties; any breach would otherwise jeopardise the entire audit process.

The most important document at the end of an audit is the audit result report and the plan of measures to be taken. This document contains the concrete required measures with allocation of responsibility and schedule for implementation of the measures. Depending on the type and significance of the measures, these are often the object of negotiation with the auditors. In a final discussion following the site inspection and the presentations, the core points of the audit result report is introduced and explained by the auditors. Members of Management / owners might take part in these talks.
16. Processing of plans of measures

Post-processing of the agreed plans of measures is carried out in accordance with the defined allocation of responsibilities. For example, any operational technological defects in the company must be taken care of and proof is provided at the next audit. The more complex tasks – e.g. establishment of a works council, formation of a trade union organisation in subsidiary companies that are not yet organised – require more time and resources and must be handled by the local trade unions. Requirements of supplier companies must be enforced on-site or initiated with support. The audit only delivers the instructions, creating access to the company, offers and possibilities. However, the local players are the ones who must put this into action. In this sense, there have been some successes in the organisation of companies but also “stalemates” among those responsible. For example, despite instructions, offer and clarification, a company trade union has not yet materialised in a production facility in the Czech Republic, due to the partners there.

17. Audits at supplier companies

In the agreements, the companies are obligated to pass on the requirements of the Social Charter to their suppliers and to make them a fundamental part of their business relations. In order to check this, the companies carry out audits or hire service providers to carry out social audits. The results are made available to the audit committee or spot-check audits are carried out by the companies themselves.

18. Continual checking of the agreements – post and detailed negotiations

The implementation practices of the original agreement also show the weaknesses of the regulations themselves. For example, the significance of precarious employment at international companies and the topic of flexibility in production facilities have constantly grown and must be set down in such agreements. The limitation of precarious employment is today a focal point of audits that are carried out. Suitable regulations must be included every time new agreements are negotiated. “Older” IFAs must be checked and updated accordingly.

National characteristics in the economic and social development (e.g. in China) require constant monitoring and checking in order to be able to introduce special regulations or further developments. The existing regulations are subject to a constantly changing situation in terms of politics, economics and trade unions in the companies. IFAs must monitor these changes and integrate changing conditions.
European and International Framework Agreements in the organization area of IG Metal

<table>
<thead>
<tr>
<th>Company</th>
<th>Signed in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartmann</td>
<td>1998</td>
</tr>
<tr>
<td>Faber Castell</td>
<td>1999</td>
</tr>
<tr>
<td>Triumph</td>
<td>2001</td>
</tr>
<tr>
<td>Volkswagen</td>
<td>2002</td>
</tr>
<tr>
<td>Daimler</td>
<td>2002</td>
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<tr>
<td>General Motors Europe (GME)</td>
<td>2002</td>
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<tr>
<td>Ford Europe</td>
<td>2003</td>
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<tr>
<td>Leoni</td>
<td>2003</td>
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<td>GEA</td>
<td>2003</td>
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<td>Rheinmetall</td>
<td>2003</td>
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<td>Bosch</td>
<td>2004</td>
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<td>Prym</td>
<td>2004</td>
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<td>BMW</td>
<td>2005</td>
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<tr>
<td>EADS</td>
<td>2005</td>
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<tr>
<td>Gebr. Röchling</td>
<td>2005</td>
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<tr>
<td>Schwan-Stabilo</td>
<td>2005</td>
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<tr>
<td>STAEDTLER Mars GmbH &amp; Co KG</td>
<td>2006</td>
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<tr>
<td>Vallourec-Mannesmann</td>
<td>2008</td>
</tr>
<tr>
<td>Wilkhahn</td>
<td>2009</td>
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<tr>
<td>Pfleiderer AG</td>
<td>2010</td>
</tr>
<tr>
<td>Mann + Hummel GmbH</td>
<td>2011</td>
</tr>
<tr>
<td>Siemens</td>
<td>2012</td>
</tr>
<tr>
<td>MAN, ZF, Thyssen-Krupp in negotiation</td>
<td></td>
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</tbody>
</table>

*Until 2012*
## 3.4. DOCUMENTATION

### 3.4.1. IFA Social Check-List SCHWAN-STABILO

<table>
<thead>
<tr>
<th>Company:</th>
<th>Plant:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signature:</td>
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</tbody>
</table>

### 1. Management

1. There is an agreement with IFBWW / IGM, [International Association of Workers in the Building and Wood Working Industries, (Internationaler Bund der Bau- und Holzarbeiter) / Metal Workers’ Union, (Industriegewerkschaft Metall)], as to Social Standards in Schwan Stabilo companies; (Social Charter). Are there other ethical corporate principles?
   - Environmental Principles
   - Guide Lines
   - Other: *(please add copies)*

1.2 Have these been put up in the company on notice boards and have the staff members understood them?

1.3 Have all staff members been familiarised with these?
   - If so, specify

1.4 Do location-specific Social Standards already exist?
   - If so, specify

1.5 Is there a system within the company which ensures that Social Standards are being observed?
   - Internal audits on site, once a year *(Personnel Manager, staff representative, local union representatives)*
   - Supervising audits by the Management Representative of Schwan Stabilo

1.6 How is the social-standard complied with and monitored in the company?
   - Who is locally responsible that Social Standards are being met?
     - Ms./Mr.
   - Who is locally responsible that Social Standards and the organisation of audits are being monitored?
     - Ms./Mr.

1.7 Is there a system to deal with shortcomings, (i.e. not living up to standard / Audit Report)?

1.8 How are necessary corrective measures being dealt with? (Audit Report / review)?
## 2 Wages of Blue-Collar Staff Members

### 2.1 Data as to staff members:
- Male employees with final work contract
- Male employees with limited work contract only
- Female employees with final work contract
- Female employees with limited work contract only
- Employees from abroad with final work contract
- Severely handicapped Person
- Apprentice
- Temporary worker

### 2.2 Remuneration at Schwan Stabilo

#### 2.2.1 What is the rate of wages per hour:
- Minimal: **US**
- Maximal: **US**

#### 2.2.2 Average rate of wages per hour for the majority of work groups:
- „Manual workers/low skilled workers“: **US**
- „Machine operators“: **US**
- „White-collar employees“: **US**

#### 2.2.3 Are wages for female staff the same as for male staff for identical jobs?
- Yes [ ]
- No [ ]

### 2.3 Data as to country-specific remuneration

#### 2.3.1 What is the annual income per capita in the country?

#### 2.3.2 How much is the official / standard minimum rate of wages applicable in:
- Sector / per hour: **US**
- Region / per hour: **US**
- Country / per hour: **US**

#### 2.3.3 Are there tariffs as to wages?
- Yes [ ]
- No [ ]

### 2.4 What extras are available?

#### 2.4.1 Holiday pay

#### 2.4.2 Fringe benefit payments (Christmas pay, ...)

#### 2.4.3 Premiums (performance allowance, hardship allowance, ...)

#### 2.4.4 Overtime allowance beyond ....... hours on top of normal working time

#### 2.4.5 Schichtzuschläge
<table>
<thead>
<tr>
<th>2.5</th>
<th>Corporate Social Contributions</th>
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<tbody>
<tr>
<td>2.5.1</td>
<td>Subsidies</td>
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<tr>
<td></td>
<td>• Meals</td>
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<td></td>
<td>• Staff discounts</td>
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<td></td>
<td>• Travelling expenses</td>
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<td></td>
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<td></td>
<td>• Others:</td>
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<tr>
<td>2.5.2</td>
<td>Benefits</td>
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<td></td>
<td>• Medical care (e.g., physician, dental surgeon, ...)</td>
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<td></td>
<td>• Family benefits</td>
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<td></td>
<td>• Subsistence contributions</td>
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<td></td>
<td>• Children’s day nursery for single parents</td>
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<td></td>
<td>• Others:</td>
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<td></td>
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<tr>
<td>2.6</td>
<td>What kind of deductions are made?</td>
<td></td>
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<tr>
<td>2.6.1</td>
<td>Deductions for corporate benefits:</td>
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<tr>
<td></td>
<td>If so, specify</td>
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<tr>
<td>2.6.2</td>
<td>Other deductions from wages, (penalty monies, ...)?</td>
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<td></td>
<td>If so, specify</td>
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<tr>
<td>3.</td>
<td>Existing Social involvement</td>
<td>yes</td>
<td>no</td>
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<tr>
<td>3.1</td>
<td>Are programs available for staff training?</td>
<td></td>
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<td></td>
<td>If so, specify</td>
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<tr>
<td>3.2</td>
<td>Are programs available as to further education, based upon the school education?</td>
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<td></td>
<td>If so, specify</td>
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<tr>
<td>3.3</td>
<td>Are prevention programs available in regard to critical social problems such as aids, drug abuse, etc.?</td>
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<td></td>
<td>If so, specify</td>
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<tr>
<td>3.4</td>
<td>Are programs / offers available to support freetime activities?</td>
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<td>If so, specify</td>
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<tr>
<td>3.5</td>
<td>Are extra-mural organisations supported (community institutions, NGO’s, etc.)?</td>
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<td></td>
<td>If so, specify</td>
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</table>
### 4. Working Hours

<table>
<thead>
<tr>
<th>4.1</th>
<th>How many hours are spent working?</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>• Per day:</td>
</tr>
<tr>
<td></td>
<td>• Days per week:</td>
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<tr>
<td></td>
<td>• Days per month:</td>
</tr>
<tr>
<td></td>
<td>• Effective working days per year:</td>
</tr>
</tbody>
</table>

| 4.2 | How many hours a day are spent on the job / working during peak periods? |

| 4.3 | Is overtime mandatory? |

<table>
<thead>
<tr>
<th>4.4</th>
<th>What are the concerning leave rules</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Holidays per year:</td>
</tr>
<tr>
<td></td>
<td>• How may employees spend their vacation time (en bloc, company holidays, ...)</td>
</tr>
<tr>
<td></td>
<td>• Minimum number of free days a week:</td>
</tr>
</tbody>
</table>

### 5. Discrimination

| 5.1 | Are prisoners recruited to work? |

| 5.2 | Are women required to undergo a pregnancy test prior to being hired? |

| 5.3 | Are there any kinds of punishment on site? |

| 5.4 | Are female and male staff members treated alike? |

| 5.5 | Is there unreasonable physical screening after work? |

### 6. Children at work

| 6.1 | What is the minimum age of staff? |

| 6.2 | Is training available for minors (under the age of 15 years)? |

| 6.3 | What is done to ensure that suppliers will not put children to work? |

### 7. Unions

| 7.1 | Is there a union for the company? |

<table>
<thead>
<tr>
<th>7.1.1</th>
<th>Which union is responsible?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(name, address, ....)</td>
</tr>
</tbody>
</table>

| 7.1.2 | Are union activities permitted in the company? |

| 7.1.3 | Are there agreements / collective agreements entered into with the union? |

<table>
<thead>
<tr>
<th>7.1.3</th>
<th>If so, specify</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(please attach a copy of the agreement currently in effect)</td>
</tr>
</tbody>
</table>
### 7.1.4 Are there elected representatives of the staff members?
- Number:
- How many of them are released from their job?

### 7.2 Are union memberships permitted in the country?

### 7.3 Are there talks with the management on regular schedules?
- With the pertaining union?
- With elected representatives of the staff members
- With the staff (meetings, ....)

### 7.4 Is there a system of hearing staff members?
- Complaints
- Suggestions for improvements

### 8. Health and Safety at Work

#### 8.1 Do provisions exist in regard to health and safety at work?
- Official
- Based on collective agreements
- In-house (employment agreements) Plant-level

#### 8.2 How are they monitored as to their being observed?
- Are inspection tours being made?
- Are there safety seminars?
- Are there external / internal checks

Other:

#### 8.3 How many accidents on the job / at the plant happen in the course of a year?
- Accidents altogether:
- Accidents resulting in sick leave > 3 working days:
- Number of fatal accidents:

#### 8.4 Is personal protective clothing made available free of charge?
(safety shoes, protective eye glasses, gloves, ....)

#### 8.5 Are there specific hazards inherent in the job?
- Are analyses made pertaining to hazards?
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.6</td>
<td>Are there specific protective regulations (e.g., pertaining to pregnancies, ...) &lt;br&gt; If so, specify</td>
</tr>
<tr>
<td>8.7</td>
<td>What kind of preventive measures pertaining to health care are available (<em>physical exercises, recovery breaks, consulting, ...</em>)</td>
</tr>
<tr>
<td>9.</td>
<td>Dormitories  &lt;br&gt; <strong>yes</strong>  <strong>no</strong>  &lt;br&gt; 9.1 Are quarters available for the staff members? &lt;br&gt; <em>If so, please answer the following question!</em>  &lt;br&gt; 9.2 How many persons altogether occupy one room, (beds per room)?  &lt;br&gt; 9.3 How large are the rooms (m²)?</td>
</tr>
<tr>
<td>10.</td>
<td>Sanitary Installations  &lt;br&gt; <strong>yes</strong>  <strong>no</strong>  &lt;br&gt; 10.1 Are sufficient toilets and washing facilities available in dormitories and on site? &lt;br&gt; <em>If so, how many staff members share one toilet / a washing facility?</em>  &lt;br&gt; 10.2 Are they cleaned regularly?  &lt;br&gt; 10.3 Are sufficient sanitary items available all the time, (soap, toilet paper, etc.)? &lt;br&gt; <em>If so, how is this ensured?</em>  &lt;br&gt; 10.4 Are recreation facilities available close to quarters / canteen available?  &lt;br&gt; <em>If so, specify</em></td>
</tr>
</tbody>
</table>

**Additional Information and attached documents:**
3.4.2. Checklist for implementing and monitoring an international framework agreement

1. A complete list of all the company’s / corporation’s sites has been drawn up and is updated regularly.

2. The personnel responsibilities and the names of contact persons for the implementation and monitoring of the agreement have been determined and communicated.

   ✔ The management has named contact persons responsible within the company’s headquarters and for the individual sites.
   ✔ The global trade union federation, the national trade unions and the plant employee representations / local trade unions at the individual sites have also appointed responsible contact persons.
   ✔ In the central / group works council and / or the European works council, persons have been determined who see to the implementation of the agreement and function as contact persons.
   ✔ The relevant contact persons are known to all signatories to the agreement.
   ✔ Consideration has been given to the extent to which organised employees and / or shop stewards can be usefully involved in the implementation of the international framework agreement.

3. The agreement has been publicised throughout the corporation

   ✔ The text of the agreement is available in all necessary languages.
   ✔ The agreement has been made available to all employees of the company in the relevant national or regional languages and they know what it contains.
   ✔ The agreement has been publicised throughout the management hierarchy of the corporation at all sites.

4. Compliance with of the agreement by suppliers and contractors of the corporation

   ✔ Suppliers and contractors have been identified. The supply chains have been documented in a transparent and comprehensible manner.
   ✔ The agreement is known to the suppliers and contractors.
   ✔ It has been made clear to the suppliers and contractors that they are expected to comply with the provisions of the agreement.

Source:
IG Metall, International/Europe Department
Guidelines for Implementing and Monitoring an International Framework Agreement (July 2006)
5. **Integration of the agreement into the corporate philosophy and the management system**

- Die corporate management has made the agreement known at the various management levels in the company's headquarters and in the individual sites of the corporation.

- The managers have received corresponding training and instruction, so they are expected to implement the agreement and the monitor compliance with the provisions of the agreement.

- The management of the company's sites reports to the company's headquarters on the state of implementation of the agreement and compliance with it according to defined criteria.

- In the company's headquarters a central office for contact and complaints has been set up, to which all employees, employees' and trade union representatives in the corporation and representatives of the local, national, European and global trade union organisations can turn.

- The central corporate management reports to the employee representation and / or the trade unions on the state of the implementation of the agreement (at predetermined intervals and according to both formal and content related criteria).

- The company's headquarters conducts regular internal audits at the company's sites to monitor compliance with the provisions of the agreement and progress in implementing the agreement.

- At regular intervals a mixed monitoring group (comprising representatives of management, the employees and the unions) checks the degree to which implementation of the agreement has resulted in progress and whether the internal audits are effective.

6. **Compliance with the provisions of the agreement is being monitored and any violations of individual provisions of the agreement are revealed across all the corporation's sites (and any other plants covered by the agreement)**

- The employees at the sites of the corporation / the plants to which the agreement applies know where and how they can report any breaches of the provisions of the agreement. The central corporate management is responsible for their protection against any disadvantage.

- Trade union I workforce representatives are present in the plant.

- The trade union I workforce representatives are aware of the content of the agreement. They have received sufficient training.

- National trade unions support the plants concerned and know about the content of the agreement and possible procedures should the provisions of the agreement be violated.

- Non-governmental organisations support the plants and know about the content of the agreement and possible procedures should the provisions of the agreement be violated.

- The understanding of the employees and their representatives, and of the local and national trade unions, concerning the importance and possible applications of the agreement has been deepened by information campaigns and training courses.

- There has been a visit to the plants by a works council / trade union delegation, or one is being planned.
7. Flow of information and communication between the corporate sites / plants and the central level

✓ A procedure for passing on information to and communicating with the outside world (via the global and possibly via the European trade union organisations and their national member trade unions) has been set down and publicised in the relevant places.

✓ A central contact / complaints office for the employee representation (with immediate access to the central corporate management) has been set up. The form and routes for internal forwarding of information and communication (e.g. in translation) have been clarified and publicised in the relevant places.

✓ An international implementation workshop has been initiated and held. Follow-up measures have been agreed.

✓ A written survey on the state of the implementation of the agreement is carried out regularly.

✓ The establishment of networks for employees’ and trade union representatives throughout the corporation at national, regional and / or global level on intensifying the flow of information and communication has either been considered or is in progress.

8. Procedure when the provisions of the agreement have been breached

✓ It has been agreed as a basic principle that problems will only be tackled centrally once attempts to reach a local solution have failed despite exhausting all the available means. The central contact or complaints office of the employee representation is, however, informed about the violation and about the measures planned or already underway to remedy the problem.

✓ The notifications of violation of the provisions of the agreement that reach the employee representatives / trade unions should always be investigated carefully before further activities are undertaken.

✓ Management and employee representation / trade unions have agreed that violations of the agreement should be remedied as fast as possible. To this end a corresponding corrective action plan has been drawn up along with a schedule for implementing it.

✓ Sanctions will be applied if the corrective action plan is not implemented as agreed in the company’s sites or on the part of the suppliers / contractors.

9. It has been determined how to deal with "problem countries" such as China, Mexico and the USA.

10. It has been discussed whether and in what form it is possible and useful to further specify and reinforce the agreement by conducting follow-up negotiations.
3.4.3. Glossary

Audit
An audit is an examination of business operations that collects data for quality management systems in particular. Audits include both local surveys and observations within the company in accordance with a checklist and with pre-defined indicators. Audits follow fixed, standardised techniques. Like quality checks, social and environmental audits record observations and results according to a procedure which is standardised and therefore comparable.

Building and Woodworkers International (BWI)
The Building and Woodworkers International (BWI) is a Global Union Federation of trade unions in the building and wood-working sectors.
Based in Geneva, Switzerland, the BWI represents around 12 million members in 350 trade unions in 135 countries around the world. The BWI has regional and project offices in Panama, Malaysia, South Africa, India, Australia, Burkina Faso, Bulgaria, Lebanon, Kenya, South Korea, Russia, Argentina, Peru and Brazil.

Corrective Action Plan
A corrective action plan is a plan for remedying problems that have been identified. It is drawn up jointly by the management of the customer/client and that of the supplier/contractor. Following a pre-defined schedule, it is checked to what extent the corrective action plan has been implemented as agreed.

European Federation of Building and Woodworkers (EFBWW)
The European Federation of Building and Woodworkers (EFBWW) is the European Industry Federation for the construction industry, the building materials industry, the wood and furniture industry and the forestry industry. The EFBWW has 50 affiliated unions in 17 countries and represents a total of 2,300,000 members. The EFBWW has its headquarters in Brussels.

Global Compact
The Global Compact is based on a personal initiative of the UN Secretary-General Kofi Annan. At the World Economic Forum in Davos in 1999 he called on private sector managers to promote a social and ecological type of management (responsible corporate citizenship).
The Global Compact comprises ten principles based on the universal human rights, the ILO’s core labour standards and the 1992 Rio Declaration on Environment and Development.
Global unions

internetpo@icftu.org
www.global-unions.org

Global Reporting Initiative (GRI)

info@globalreporting.org
www.globalreporting.org

International Labour Organization (ILO)

ednorm@ilo.org
www.ilo.org

The international trade union organisations now increasingly call themselves global unions. They include both the International Confederation of Free Trade Unions (ICFTU), uniting the large majority of national trade union federations, the ten global trade union federations and the Trade Union Advisory Committee to the OECD (TUAC).

GRI was founded in 1997 with the vision and the goal of developing internationally recognised and comparable guidelines for reporting on economic, environmental, and social performance. GRI actively engages companies, state-run and non-state organisations, such as trade unions, human rights and environmental organisations around the world. GRI is a collaborating centre of the United Nations Environment Programme (UNEP) and works with the Global Compact created by the UN Secretary-General Kofi Annan. The guidelines may be used for reporting on the sustainability of economic, social and environmental activities of companies and organisations. Their application is voluntary.

The International Labour Organization (ILO) was founded in 1919 and is the UN agency for internationally recognised labour rights and social standards. The ILO formulates international labour standards in the form of Conventions setting minimum standards of basic labour rights. At present the International Labour Organization has a total of 184 Conventions and 194 Recommendations covering various areas (incl. labour protection, social policy, working conditions, migration and child labour). These standards must be ratified by the Member States in their national legislative processes and translated into national law for them to be legally binding. The ILO has a tripartite structure in which in addition to the government representatives of the Member States, the trade unions and the employers’ representatives from all Member States are granted far-reaching rights of representation and co-determination in all ILO bodies.
Monitoring is the ongoing process of active observation of the correct and proper implementation of an agreement and compliance with its provisions. Monitoring is the responsibility of the management, but the employee representatives / trade unions should develop their own parallel structures and procedures for monitoring. Monitoring of the provisions of the agreement is most effective when there are trade unions and employee representatives present in the plants to which the agreement applies who ensure that this process takes place.

The OECD Guidelines are recommendations addressed by governments of the OECD countries to multinational enterprises for socially and ecologically responsible business conduct. They cover a variety of areas including human rights and the ILO’s core labour standards, along with the principles of taking a proactive approach and sustainability. They include information disclosure, industrial relations, environmental protection, combating bribery, consumers’ interests, science and technology, competition and taxation.

The OECD Guidelines apply all around the world and govern companies from the OECD countries wherever they operate. The governments adopting the Guidelines thereby undertake to establish a National Contact Point to resolve complaints related to the Guidelines.

Verification means checking whether the monitoring procedure being applied is actually working. In some cases this check is carried out by external auditors / firms, while in others it is carried out by a group set up for the purpose or by an existing body made up of representatives of the company and of the trade unions / employee representations (e.g. a world works council). The process follows agreed rules and criteria and takes place at regular intervals.

Source:

*IG Metal, International/Europe Department*

*Guidelines for Implementing and Monitoring an International Framework Agreement (July 2006)*
Further Reading and Links

**European Commission**

Commission Staff Working Document - The role of transnational company agreements in the context of increasing international integration SEC (2008) 2155
http://ec.europa.eu/social/main.jsp?catId=707&langId=en&intPageId=214

Mapping of transnational texts negotiated at corporate level _EC
http://ec.europa.eu/social/main.jsp?catId=707&langId=en&intPageId=214

European Commission, DG Employment, Social Affairs and Inclusion
(Susan Bird, Oct. 2012)
New Communication on CSR
http://www.innopas/pasoc.eu

European Commission, Expert Group Transnational Company Agreements
Draft elements for conclusions of DG Employment, Social Affairs and Inclusion
Revised Working document, 31 January 2012
Report, 31 January 2012
http://ec.europa.eu/social/main.jsp?catId=707&langId=en&intPageId=214

**International Labour Organization**

ILO 2001, Shaping global industrial relations: The impact of international framework agreements

**IG Metal**

*Bert Römer, IG Metal Management Board and IFA-Coordinator BWI, Oct. 2012*
TCAs in practice: Anforderungen für die Umsetzung und Überwachung und Mitgestaltung durch den Betriebsrat
http://www.innopas/pasoc.eu

*Claudia Rahman, IG Metal Management Board Frankfurt, Oct. 2012*
Internationale Rahmenvereinbarungen – Der globalen Wirtschaft einen Rahmen setzen!
http://www.innopas/pasoc.eu

**Useful Links**

http://ec.europa.eu/
http://www.ilo.org/
http://www.global-unions.org/
http://www.eurofound.europa.eu/
http://www.uniglobalunion.org/
http://www.igmetall.de/
http://bwi.org/
http://www.innopas/pasoc.eu/
http://www.efbbw.org/
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- Gustav Meier (former chairman of GBR at Schwan-Stabilo)

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- Michael Fischer (Pfleiderer AG)

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Terre des hommes (23)