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European Works Councils: Worker Participation, Information and Consultation in Transnational Industrial Relations

Gianfranco Brusaporci and Riccardo Fazioli *

Abstract. European Works Councils (EWCs) have emerged as pivotal platforms for information and consultation in large multinational companies operating across Europe. Initially conceived as non-negotiating bodies, EWCs have evolved into laboratories for innovation in transnational industrial relations. The recent revision of Directive 2009/38/EC, approved by the European Parliament in October 2025, marks a significant advancement: it strengthens workers' representatives' rights, clarifies the scope of information and consultation, promotes best practices in social dialogue, and introduces stricter sanctions for rights violations. The new directive also recognizes the central role of trade unions and experts, enhances the protection of representatives, and broadens the definition of transnationality.

Within this framework, EWCs enable workers' representatives to access strategic data and engage in dialogue with management on a wide range of issues, from economic and financial matters to employment, investment, and sustainability. While EWCs lack formal bargaining power, they have often reached agreements that exceed minimum legal requirements, addressing cross-border topics such as health and safety, social inclusion, artificial intelligence, and gender equality. Through active trade union participation and social dialogue, EWCs help reduce power imbalances between multinational corporations and workers, fostering more coordinated and less conflictual management of crises and reorganizations.

The ongoing evolution of social dialogue and the increasing level of participation within EWCs can be key drivers of organisational

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competitiveness and resilience. By facilitating genuine involvement of workers in decision-making processes, EWCs foster mutual trust, shared responsibility, and innovative problem-solving. This participatory approach not only improves the quality of working life but also enables companies to adapt more effectively to challenges such as restructuring, digitalization, and sustainability, ultimately strengthening their capacity to thrive in a complex and rapidly changing European landscape.

Keywords: *European works council; Collective bargaining; Participation; European cohesion; Social dialogue.*

1. Introduction

The European Works Council (EWC) stands as one of the most significant institutional innovations in the field of transnational industrial relations in Europe¹. Conceived in the context of European integration and the increasing globalization of business, EWCs have become a cornerstone for the development of social dialogue, information, consultation, and, increasingly, participation of workers in multinational companies². Since their establishment by Directive 94/45/EC and subsequent recast by Directive 2009/38/EC, EWCs have provided a unique institutional arena primarily composed of workers' representatives, enabling structured transnational interaction with central management from different countries to meet, exchange information, and discuss issues of common concern at the European level³.

The evolution of EWCs reflects broader trends in European industrial relations, including the diversification of national systems, the growing importance of transnational corporate strategies, and the EU's commitment to promoting social dialogue as a pillar of economic democracy⁴. The EWC regulatory framework, grounded in Article 27 of the Charter of Fundamental Rights of the European Union, sets out minimum requirements for the establishment, composition, and

¹ J. Waddington, *European Works Councils: A Transnational Industrial Relations Institution in the Making*. London: Routledge, 2011;

² S. De Spiegelaere, R. Jagodziński, J. Waddington, *European Works Councils: Contested and Still in the Making*. Brussels: ETUI, 2022; T. Koutroukis, *European Works Councils: Their Impact on the Europeanization of Industrial Relations in an Era of Market Globalism*. *Social Sciences*, 13(3), 171, 2024;

³ R. Jagodziński, *The Recast European Works Council Directive: Transnational Industrial Relations in the Making*, ETUI, 2015;

⁴ European Commission, *Evaluation of the European Works Council Directive*, 2020;

functioning of EWCs, while allowing for flexibility through negotiated agreements⁵.

In light of the ongoing evolution of European industrial relations, it is particularly significant to highlight the recent revision of Directive 2009/38/EC on European Works Councils, which was approved by the European Parliament in October 2025 (hereafter: the revised EWC Directive). This revision introduces several relevant changes: it strengthens the rights of workers' representatives, clarifies the definitions of information and consultation, promotes best practices in transnational social dialogue, and establishes stricter sanctions in cases of rights violations. The central role of trade unions and experts is further recognized, the protection of workers' representatives is enhanced, and the definition of transnationality is improved. Member States will have two years to transpose the directive into national law, marking a substantial step forward towards more effective worker participation in the decision-making processes of European multinational companies.

Despite their formal status as non-negotiating bodies, over the years EWCs have, in practice, developed into platforms where agreements can be reached that go beyond the information and consultation principles, particularly in areas such as health and safety, non-discrimination, and social inclusion. The ongoing revision of the EWC Directive and the growing emphasis on participation reflect the EU's commitment to strengthening the role of workers in shaping the future of work⁶. The EWC is not only a legal instrument but also a political one, reflecting the EU's broader strategy to balance economic development and challenges with social protection⁷. The establishment of EWCs was a response to the growing power of multinational corporations and the need to ensure that workers' voices are heard in decisions that affect their livelihoods across borders⁸. The EWC thus serves as a laboratory for transnational industrial relations, where innovative practices can be developed and diffused across countries and sectors⁹.

⁵ Directive 2009/38/EC on the Establishment of a European Works Council; European Union, Charter of Fundamental Rights of the European Union, 2012;

⁶ European Parliament, Revision of the European Works Council Directive, 2023;

⁷ M. Hertwig, European Works Councils and the Crisis: Change and Resistance in Cross-Border Employee Representation at Honda and Toyota. *British Journal of Industrial Relations*, 53(2), 326–349, 2015;

⁸ ETUC, Workers' Participation and European Social Dialogue, 2021;

⁹ V. Pulignano, The Europeanisation of Industrial Relations: Transnational Company Agreements and EWCs. *European Journal of Industrial Relations*, 13(2), 187–207, 2007;

This article aims to provide a comprehensive analysis of EWCs, with a particular focus on the principles of information, consultation, and participation. Through two sectoral case studies - DS Smith, which in Italy is covered by the paper industry collective bargaining agreement, and TK Elevator, which falls under the tertiary, distribution and services sector collective bargaining framework - the article demonstrates how EWCs contribute to the positive evolution of industrial relations in Europe, fostering mutual understanding, joint problem-solving, and participatory decision-making. The analysis is trying to emphasize the importance of active trade union involvement and the potential of EWCs to serve as laboratories for innovative practices in industrial relations in a continuing evolution labor market.

2. A Unique Instrument to Develop Social Dialogue in Europe

The European Works Council (EWC) is a product of the European Union's commitment to fostering social dialogue and economic democracy across its member states. Social dialogue, as defined by the International Labour Organization (ILO), refers to all types of negotiation, consultation, or exchange of information between representatives of governments, employers, and workers on issues of common interest¹⁰. The EWC, established by Directive 94/45/EC, recast by Directive 2009/38/EC, and the recent revision of Directive 2009/38/EC, approved by the European Parliament in October 2025, is the first supranational institution designed to facilitate transnational information and consultation in companies operating in at least two EU or European Economic Area (EEA) countries and employing at least 1.000 workers¹¹. The uniqueness of the EWC lies in its ability to bridge national industrial relations systems, which vary widely in terms of union density, collective bargaining coverage, and traditions of worker participation¹². By providing a forum for representatives from different countries to meet, exchange information, and discuss companywide issues, EWCs foster mutual understanding and the development of a European identity among workers¹³. This transnational dimension is particularly important in the context of corporate restructuring, mergers,

¹⁰ ILO, Social Dialogue: Recurrent Discussion under the ILO Declaration on Social Justice for a Fair Globalization, 2013;

¹¹ R. Jagodziński, op. cit.;

¹² S. De Spiegelaere, R. Jagodziński, J. Waddington, op. Cit.;

¹³ J. Waddington, op. cit.;

and acquisitions, where decisions taken at headquarters can have far-reaching consequences for employees in multiple countries¹⁴.

The legal framework for EWCs is grounded in Article 27 of the Charter of Fundamental Rights of the European Union, which recognizes workers' rights to information and consultation within the undertaking. The EWC Directive sets out minimum requirements for the establishment, composition, and functioning of EWCs, while allowing for flexibility through negotiated agreements. The Directive's objectives are to improve the right to transnational information and consultation, ensure the effectiveness of EWCs, and promote the adaptation of companies to the challenges of globalization. Despite the progress made, the effectiveness of EWCs varies significantly across companies and sectors. Factors such as the commitment of management, the expertise of workers' representatives, and the quality of industrial relations at the national level all influence the functioning of EWCs. The scholarly debate has also examined what makes EWCs effective in practice and whether their role can extend beyond the minimum requirements of the Directive. Early analyses questioned the extent to which EWCs could develop functions that go beyond formal information and consultation, pointing to the importance of actors' strategies and the institutional space created by EWC agreements¹⁵. More recent case-based research has identified a set of enabling conditions for effectiveness - such as regular meetings, timely access to information, the capacity to coordinate across countries, the availability of expertise, and constructive (yet autonomous) relations with management - while also highlighting the persistence of uneven outcomes across firms and sectors¹⁶.

A further stream of literature focuses on the interaction between EWCs, trade unions, and transnational agreements. Complementing these approaches, studies of German board-level employee representation in multinational companies provide insights into patterns of transnational articulation between national participation rights and cross-border employee representation arenas, including EWCs¹⁷. European Works

¹⁴ V. Pulignano, *op. cit.*;

¹⁵ V. Telljohann, 'The European Works Councils – a role beyond the EC Directive?' *Transfer: European Review of Labour and Research*, 11(1), 81–96, 2005;

¹⁶ M. Gold, C. Rees, 'What makes an effective European works council? Considerations based on three case studies.' *Transfer: European Review of Labour and Research*, 19(4), 539–551, 2013;

¹⁷ S. Rosenbohm, T. Haipeter, 'German board-level employee representation in multinational companies: Patterns of transnational articulation.' *European Journal of Industrial Relations*, 25(3), 219–232, 2019;

Councils are a fundamental tool for worker participation in multinational companies. This participation takes place at an informational and consultative level, as provided for by European legislation. European social dialogue is the basis for economic democracy, which promotes social relations and workers' rights. Its importance for Europe's socio-economic development is clear, and it needs to be continually reaffirmed in the day-to-day political action of the institutions and social partners¹⁸. Social dialogue, which, if improved and strengthened, can lead to growth throughout Europe in both social and economic terms¹⁹. The European Pillar of Social Rights is a beacon of European democracy and a priority for the European Union and its Member States²⁰. The European Pillar of Social Rights recognises participation and collective bargaining as fundamental tools for implementing economic and social policies in Europe; the right to information and consultation fits fully into this context, and the European tool closest to its workers is represented by the European Works Council.

The principle of information is central to the functioning of EWCs and is enshrined in both the EWC Directive and national implementing legislation²¹. Information, as defined by Article 2(f) of Directive 2009/38/EC, refers to the transmission of data by the employer to the workers' representatives in such a way as to enable them to acquaint themselves with the subject matter and to examine it. The information must be provided at such time, in such fashion, and with such content as are appropriate to enable the representatives to undertake an in-depth assessment of the possible impact and, where appropriate, prepare for consultations. The scope of information covers a wide range of topics, including the structure, economic and financial situation, probable development, production and sales, employment trends, investments, reorganization and substantial changes concerning organization²². The timely and comprehensive provision of information is essential for the effective functioning of EWCs, as it allows workers' representatives to understand the company's strategy, anticipate changes, and formulate

¹⁸ European Social Partners, the EU Commission and the Belgian Presidency of the Council of the EU. Val Duchesse Tripartite Declaration, 2024;

¹⁹ D. Grimshaw, A. Koukiadaki, Tavora I., Social Dialogue and Economic Performance: What Matters for Business – A Review. International Labour Office, Geneva, 2017;

²⁰ La Hulpe. La Hulpe Declaration on the Future of the European Pillar of Social Rights, 2024;

²¹ R. Jagodziński, op. cit.;

²² S. De Spiegelaere, R. Jagodziński, J. Waddington, op. cit.;

responses²³. However, research has shown that the quality and timeliness of information provided to EWCs vary significantly across companies and sectors²⁴. In some cases, management may limit the scope of information or provide it too late for meaningful consultation. The right to information is not only a procedural requirement but also a substantive one, as it empowers workers' representatives to engage in meaningful dialogue with management and to influence decisions that affect their interests. The effectiveness of the information process depends on the willingness of management to share relevant data, the capacity of representatives to analyze and interpret the information, and the existence of mechanisms for follow-up and accountability²⁵.

Consultation is the second pillar of the EWC's mandate and is closely linked to the principle of information. According to Article 2(g) of Directive 2009/38/EC, consultation means the establishment of dialogue and exchange of views between workers' representatives and central management at such time, in such fashion, and with such content as enables workers' representatives to express an opinion on the basis of the information provided about the proposed measures, which may be taken into account in the decision-making process. The consultation process is intended to go beyond mere notification and to provide workers' representatives with a genuine opportunity to influence decisions affecting employees at the transnational level²⁶. Effective consultation requires that management not only informs representatives in a timely manner but also listens to their views and considers their input before finalizing decisions²⁷. The effectiveness of consultation in EWCs depends on several factors, including the quality of information, the timing of the process, the expertise of representatives, and the willingness of management to engage in meaningful dialogue²⁸. While the Directive does not grant EWCs co-decision rights, it does require that consultation take place "in such a way as to enable workers' representatives to meet with central management and obtain a reasoned response to any opinion they might formulate". Consultation is also a dynamic process, evolving in response to changes in the economic and regulatory environment. The COVID-19 pandemic, for example, highlighted the importance of timely and effective consultation

²³ V. Pulignano, *op. cit.*;

²⁴ J. Waddington, *op. cit.*;

²⁵ ETUI, *European Works Councils Database*, 2021;

²⁶ R. Jagodziński, *op. cit.*;

²⁷ S. De Spiegelaere, R. Jagodziński, J. Waddington, *op. cit.*;

²⁸ J. Waddington, *op. cit.*;

in managing crises, protecting jobs, and ensuring the health and safety of workers. The experience of EWCs during the pandemic has underscored the need for robust mechanisms for consultation and for the active involvement of workers' representatives in decision making processes²⁹. It is worth remembering that, apart few cases such as the decisions of the Belgian and French courts on the Renault Vilvoorde case in 1997, there are no clear mechanisms in European legislation that can stop company decisions if they are taken beforehand and without informing or consulting workers, but European legislation has a concrete scope. More than 90% of the European Union is made up of small businesses (employing up to 49 people) and a small percentage of medium-sized or large businesses. If you are part of a multinational company, it is difficult to be aware of the decisions taken by senior management, which is often located in another country. Dialogue between trade unions and businesses usually takes place at local and/or national level. From a European perspective, where companies are free to produce goods and services in any country and people are free to work wherever they want, rights should be raised to the highest possible level or standard in order to avoid any kind of discrimination or deterioration in working conditions. In this regard, European legislation, directives and regulations provide a basis and certainty for workers, while collective bargaining at national and transnational level can raise standards (as can the legislation of each country). There are many nuances to this, in the sense that some work better than others; some apply the standard to the letter, while others go "beyond" it and include additional topics in their founding agreements, for example, on which they inform workers. One example is the issue of health and safety in the workplace, where management shows investments in OSH, training provided, accident rates and incidence, and other data, to give workers' representatives as complete a picture as possible of the issue at European level. It is important to remember that in practice, those who sit at the European Works Council table are not always affiliated with a trade union. This does not depend solely on declining union density rates (i.e. in Eastern European countries), but also on different national institutional settings (i.e. Germany, Austria, Netherland). While information and consultation are the core principles of the EWC, there is a growing recognition of the need to move towards a more participatory model of industrial relations in Europe³⁰. Participation, in this context,

²⁹ S. De Spiegelaere, R. Jagodziński, J. Waddington, op. cit.;

³⁰ S. De Spiegelaere, R. Jagodziński, J. Waddington, op. cit.;

refers to the involvement of workers and their representatives in the decision-making processes of the company, going beyond the mere right to be informed or consulted. The same EWC can facilitate the introduction of worker participation models in companies, for example in decision-making processes³¹.

Some scholars highlight also the potential of EWCs to serve as laboratories for participatory industrial relations, where innovative practices can be developed and diffused across countries and sectors³². In this sense, participatory outcomes are often linked to the ways in which worker representatives coordinate across sites and to the degree of workplace trade union engagement with EWCs and transnational company agreements, which can reinforce representatives' capacity to act beyond purely procedural information and consultation³³. Relatedly, the interaction between management strategies and EWC design has been described in terms of "institutional malleability", helping to explain why some EWCs develop more substantive forms of involvement, while others remain closer to compliance-oriented practices³⁴. Applied research and comparative case studies also document recurring implementation challenges (e.g., resources and expertise gaps, difficulties in ensuring timely consultation) as well as practical solutions and good practices that can support more participatory EWC practices³⁵. The evolution from information and consultation to participation is seen as a positive development that can contribute to the democratization of the workplace, the improvement of working conditions, and the competitiveness of European companies. Participation is not only a normative ideal but also a practical necessity in the context of globalization, digitalization, and the increasing complexity of corporate structures. By involving workers in decision-making processes, companies can benefit from their knowledge, experience, and commitment, leading to better outcomes for both

³¹ S. Lafuente, *The Quiet Transnationalisation of Employee Representation at Board Level in National Laws and Practices*. ETUI Working Paper, 2023;

³² S. De Spiegelaere, R. Jagodziński, J. Waddington, op. cit., V. Pulignano, op. cit.;

³³ M. Whittall, M. M. Lucio, S. Mustchin, V. Telljohann, F. R. Sánchez, *Workplace trade union engagement with European Works Councils and transnational agreements: The case of Volkswagen Europe*. *European Journal of Industrial Relations*, 23(4), 397–414, 2017;

³⁴ V. Pulignano, J. Waddington, *Management, European Works Councils and institutional malleability*. *European Journal of Industrial Relations*, 26(1), 5–21, 2020;

³⁵ Eurofound, *Challenges and solutions: Case studies on European Works Councils*. Luxembourg: Publications Office of the European Union, 2022;

employees and employers³⁶. The participatory approach also fosters a culture of trust, mutual respect, and shared responsibility, which is essential for the sustainability of the European social model.

3. Case Study Analysis – EWC Participation as Positive Evolution in Industrial Relations

The following case studies examine how European Works Councils (EWCs) translate the principles of information, consultation, and participation into practice within multinational enterprises³⁷. Building on the theoretical framework outlined above - and situated within the strengthened regulatory landscape established by the 2025 revision of Directive 2009/38/EC - this section analyses two distinct yet complementary trajectories through which EWCs have contributed to the evolution of transnational industrial relations. Taken together, the DS Smith and TK Elevator cases illustrate the increasing capacity of EWCs to operate as dynamic institutional arenas capable of shaping organisational decision-making beyond the minimum standards set by legislation. While DS Smith demonstrates how negotiated protocols, internal committees, and structured monitoring mechanisms can consolidate worker participation in areas such as health and safety, TK Elevator shows how early involvement in technological transitions and the establishment of permanent thematic commissions can anchor workers' input in strategic production choices and company-wide safety transformation processes. Despite the different economic and industrial contexts, both cases reveal a shared capacity to leverage information, consultation, and participation in ways that align closely with the reinforced obligations and participatory ambition of the revised Directive. By analysing these two empirical examples side by side, this section highlights a broader shift from formal procedural compliance toward more substantive, participatory, and innovation-driven forms of transnational social dialogue. As such, the cases provide concrete evidence of how EWCs can function as laboratories of social innovation, enhancing organisational resilience and contributing to more democratic forms of corporate governance across multinational enterprises.

³⁶ S. De Spiegelaere, R. Jagodziński, J. Waddington, op. cit.;

³⁷ G. Brusaporci, R. Fazioli, Social Dialogue: An Essential Element of European Cohesion and Competitiveness. E-Journal of International and Comparative Labour Studies, 14(3), 2025;

The article adopts a qualitative comparative case study approach. The two cases were selected because they illustrate distinct but complementary trajectories of EWC development in sectors characterised by strong transnational integration and significant organisational change, making them particularly relevant for assessing the participatory potential of EWCs in light of the revised Directive 2009/38/EC. The analysis is based on qualitative data drawn from EWC agreements, internal company documents, annual EWC reports, and other official materials produced within the framework of European social dialogue. The cases are analysed through a qualitative comparison informed by process-tracing logic, focusing on how specific institutional and organisational conditions led the emergence of participatory practices beyond formal information and consultation.

3.1. The Case Study of DS Smith Group

Table 1 - Own Elaboration

National Legal Framework of EWC	Ireland
Markets of operation in UE of DS Smith	Packaging Central EMEA: Austria, Germany, Luxembourg, Switzerland, Poland, Slovakia, Czechia, Belgium, Netherlands. Packaging East EMEA: Bosnia Herzegovina, Bulgaria, Croatia, Hungary, North Macedonia, Romania, Serbia e Slovenia. Packaging France. Packaging North EMEA: Lithuania, Sweden, Estonia, Denmark, Finland, Lithuania, Norway. Packaging South West EMEA: Spain, Portugal and Morocco. Packaging South East EMEA: Italy, Turkey, Greece. Packaging UK & Ireland.
Year of foundation EWC	2006
Composition of the EWC	Employee representatives from the countries covered by the agreement; EWC Chair, EWC Director, EWC Coordinator, Diversity and Inclusion Committee, Health and Safety Committee, EWC Health & Safety Workstream, EWC Regional Executive Committee.
Year of the last EWC Agreement	2026
Relation between EWC and National T.U.	Structured cooperation with national trade unions, and UNI Europa
EWC World	
International T.U.	Constant support of UNI Europa

Federation	
Presence of T.U. & industrial relations in the various EU countries	Presence of T.U. with positive industrial relations in most of the single EU countries

The DS Smith case offers a salient illustration of how European Works Councils can evolve from basic information-and-consultation bodies into institutional spaces that foster structured participation and transnational coordination. This example is particularly relevant in light of the 2025 revision of Directive 2009/38/EC, which reinforces workers' rights, clarifies the scope of consultation, and strengthens the role of trade unions and experts. This case therefore serves as an empirical bridge between the theoretical framework outlined earlier and the practical dynamics through which EWCs operate in multinational companies.

In recent years, DS Smith has developed an extensive set of practices that go beyond the minimum legal requirements set by the directive, particularly through the negotiation of European-level instruments. A prominent illustration is the 2018 Heat Stress and Heat Discomfort Protocol, a landmark agreement concluded within the EWC. The protocol addresses health and safety risks related to excessively hot and cold working environments, mandating company-wide risk assessments, preventive measures, workers' training, and clear escalation procedures. If a local site fails to respond adequately to reported issues, EWC representatives may intervene, and persistent non-compliance can trigger a joint inspection by the EWC Chair and company management. This demonstrates how EWCs can function as laboratories of innovation, enabling the codification of common standards and the diffusion of preventive practices across national boundaries.

Following the acquisition of DS Smith by International Paper, the EWC became a central locus for managing the transition. On 14 January 2026, employee representatives were called to vote on a newly renegotiated EWC agreement. The alternative was to fall under International Paper's pre-existing arrangement, which provided less favourable provisions. The renegotiated agreement—approved by a large majority—preserved the strengths of the 2019 DS Smith agreement, particularly the role of the Health and Safety Committee and the Diversity and Inclusion Committee, both of which serve as internal mechanisms that allow representatives to shape policies within their fields of competence. This outcome reflects how restructuring processes often activate the EWC as a strategic arena in which representatives seek to secure continuity, enhance participation

rights, and align governance practices with the reinforced obligations introduced by the revised directive.

The new agreement introduces an explicit reference to the European regulatory framework on EWCs, while also setting a future cap of 40 members (as opposed to 50 previously), to be reached gradually through natural turnover. Moreover, although the EWC coordinator continues to be appointed by the company, a dedicated committee has been created to review internal rules and potentially reconsider the coordinator's role. These adjustments illustrate the emergence of hybrid governance arrangements in which managerial prerogatives coexist with increasingly institutionalized participatory mechanisms.

The Health and Safety Committee continues to operate through bimonthly virtual meetings, ensuring constant monitoring and fostering a European-wide dialogue with management. This committee has produced several policy documents and allows representatives to act proactively rather than merely react to company decisions. Taken together, these instruments confirm that EWCs can transcend a purely consultative role and operate instead as structured platforms for co-design, joint monitoring, and the establishment of cross-border standards.

The acquisition by International Paper also triggered a significant reorientation of the company's safety strategy. In 2025, DS Smith experienced seven fatal accidents, with investigations conducted by the external agency DEKRA revealing systemic issues such as production pressure and near misses related to machinery contact—events with high fatality potential. The new management introduced a shift from attributing blame to individual workers towards identifying root causes and improving organisational prevention. Leadership training programmes and the creation of a Serious Injury & Fatality Prevention (SIF) team were launched, and the new HR Manager invited EWC Health and Safety Committee members to join this team as experts. Their unanimous acceptance demonstrates a shared commitment to shaping safety policies across Europe. This shift exemplifies how EWCs can accompany companies through cultural transformations, reinforcing a participatory model that aligns with the directive's ambition to empower worker representatives.

Overall, the DS Smith case provides compelling evidence that, when adequately supported by negotiated structures, continuous dialogue, and shared responsibilities, EWCs can play a decisive role in strengthening workers' rights, fostering innovative practices, and enhancing organisational resilience. It thus creates a natural analytical bridge to the

subsequent case study of TK Elevator, where similar participatory logics emerge in the context of technological transition and safety governance.

3.2. The Case Study of TK Elevator Group

Table 2 - Own Elaboration

National Legal Framework of EWC	Germany
Markets of operation in UE of DS Smith	DE / Deutschland AT / Österreich BE / Belgien DK / Dänemark ES / Spanien FR / Frankreich HR / Kroatien HU / Ungarn IT / Italien LU / Luxemburg NL / Niederlande NO / Norwegen PT / Portugal SE / Schweden
Year of foundation EWC	1996 (with the previous owner Thyssenkrupp)
Composition of the EWC	Employee representatives from the countries covered by the agreement; A select committee chaired by the chairperson, plus two vice-chairperson and two additional members
Year of the last EWC Agreement	2020
Relation between EWC and National T.U.	Structured cooperation with the trade unions IG Metall, the Group Works Council and IndustriAll
EWC World	Global Work Council founded in 2024
International T.U. Federation	Constant support of IndustriAll
Presence of T.U. & industrial relations in the various EU countries	Presence of T.U. with positive industrial relations in most of the single EU countries

The TK Elevator case provides a complementary perspective on how European Works Councils can accompany technological transitions and safety-related transformations within multinational companies. As in the DS Smith case, this example demonstrates how EWC structures - when supported by clear procedures and sustained dialogue - can move beyond the minimum legal obligations of information and consultation. It therefore represents a natural continuation of the analytical trajectory established earlier, offering further empirical insight into the evolving role of EWCs in the context of the 2025 revision of Directive 2009/38/EC. TK Elevator is a global leader in the elevator industry, with significant operations across the European Union, the European Economic Area, Switzerland, and the United Kingdom. To promote structured transnational dialogue, the company has established its EWC at its

headquarters in Germany, composed of employee representatives elected or appointed in accordance with national rules. Representation ranges from one delegate in smaller countries to five in those employing more than 4,000 workers, supported by a system of alternates. In 2024, TK Elevator, together with IndustriALL Global Union, IG Metall, and the TKE Group Works Council, signed an agreement establishing a Global Union Council (GUC) - a further signal of the company's commitment to comprehensive social dialogue and to aligning corporate practice with international labour standards.

In recent years, the launch of the new EOX elevator model has served as a major testing ground for the EWC's capacity to ensure early involvement in decisions with potential transnational implications. The introduction of EOX raised concerns about the possible relocation of production from Europe to lower-cost countries, as well as potential impacts on employment and technical competences. In line with the EWC Agreement—and echoing the strengthened obligations of timely and meaningful information and consultation under the revised Directive—the Select Committee established a permanent EOX Commission in early 2023. The Commission monitored the rollout of the project, sought clarification on strategic production decisions, and engaged in dialogue with central management regarding the role of European manufacturing sites.

In March 2024, the Commission adopted a formal resolution supporting the prioritization of cabin and component production at the Móstoles site and, more broadly, within TK Elevator's internal European production network. The company's response in April 2024 confirmed that, at least for the first operational year of EOX (2024/25), core components would indeed remain in Europe, while future decisions would be guided by competitiveness, quality, and logistical efficiency. This exchange exemplifies how EWCs can operationalize the Directive's principles by intervening at a stage when their input can still shape outcomes, thereby strengthening the legitimacy of cross-border industrial relations processes.

As the production phase stabilized, the EOX Commission shifted its focus to the post-sales lifecycle of the model - installation, maintenance, and occupational safety. Its composition was accordingly revised, replacing manufacturing representatives with colleagues from the three countries with the highest sales volumes of EOX. This allowed the Commission to evaluate field-level performance, identify training needs for installers and maintenance technicians, and monitor emerging risks. This evolution mirrors the participatory dynamics observed in the DS

Smith case, reinforcing the argument that EWCs can adapt their internal architecture to accompany complex technological transitions.

Beyond the EOX project, TK Elevator's EWC has increasingly shaped the company's occupational health and safety strategy, an area marked by serious incidents, including fatal accidents across Europe. Parallel to the launch of the company's Safety Transformation Program (STP), the EWC established a permanent Safety Commission composed of representatives from Portugal, France, the Netherlands, Austria, and Germany. Its initial goals included systematically collecting information on national safety conditions, developing a shared analytical questionnaire for STP implementation, and identifying priority areas for improving prevention, training, and worker protection. Early Commission activities examined worker participation in accident analyses, adequacy of equipment and training, and the extent to which co-management principles influenced safety-related decisions.

Taken together, these developments demonstrate how EWCs can serve as structured platforms for sustained participation, enabling workers to influence both strategic technological decisions and day-to-day safety governance. In doing so, TK Elevator's EWC not only supports better working conditions but also contributes to organisational resilience, innovation capacity, and competitiveness - elements at the core of the contemporary debate on the future of European industrial relations.

4. Conclusion

European Works Councils have progressively established themselves as a central pillar of transnational industrial relations, providing structured mechanisms for information, consultation, and recently also for participation within multinational companies. Conceived to ensure that workers' voices could be heard in decisions extending beyond national borders, EWCs have evolved into dynamic arenas where shared responsibilities, common learning, and innovative practices emerge. The recent revision of Directive 2009/38/EC, adopted in October 2025, reinforces this trajectory by strengthening the rights of workers' representatives, clarifying the scope of information and consultation, and enhancing the role of trade unions and experts. These developments confirm the growing relevance of EWCs in the European social model and their potential to shape more inclusive and democratic corporate governance. At the same time, the two case studies discussed in this article make it possible to assess, in practical terms, under which conditions such participatory developments actually materialize. Indeed, as summarised in

Tables 1 and 2, the two case studies share a set of institutional and organisational characteristics that help explain why participatory outcomes were able to emerge. Rather than being isolated “best practices”, these experiences are rooted in specific configurations of legal frameworks, company structures and actor constellations. The tables make explicit that, in both cases, EWCs operate in companies with broad European market coverage, long-standing EWC agreements, stable internal bodies (such as select committees and thematic commissions), which provide trust between social partners, continuity and cumulative learning over time.

The case studies of DS Smith and TK Elevator illustrate in concrete and complementary ways how EWCs can function as laboratories for innovation in industrial relations. At DS Smith, the negotiation of the *Heat Stress and Heat Discomfort Protocol* shows the capacity of EWCs to deal with transversal themes - such as health and safety - by establishing common standards that go beyond legal requirements and national practices. More specifically, what “worked” in this case was the combination of a negotiated European-level protocol, clear procedural expectations at local level (risk assessment, training and preventive measures), and structured follow-up tools, including escalation pathways and the possibility of joint inspections when local responses are inadequate. In this sense, the protocol did not remain a symbolic document, but operated as a practical governance mechanism supporting implementation and accountability across countries. This example demonstrates how structured dialogue, respect and mutual trust can anticipate risks, foster preventive cultures, and protect workers in a coherent European framework. The TK Elevator case further enriches this perspective by illustrating how EWCs can actively accompany technological transitions and respond to new challenges in production organization, skills, and occupational safety. Through the EOX Commission, workers’ representatives were able to engage in early monitoring of strategic production decisions, safeguard employment and competences in European sites, and contribute to a balanced framework for innovation. Here, what “worked” was the existence of a permanent thematic commission that enabled continuity and specialization, combined with a consultation process that generated formal positions (such as the Commission’s resolution) and a management response within a timeframe in which outcomes could still be influenced. Similarly, the Safety Commission established in the context of the company’s Safety Transformation Program (STP) shows how structured participation can help translate global policies into concrete improvements, ensuring consistent prevention practices, better training, and shared responsibility

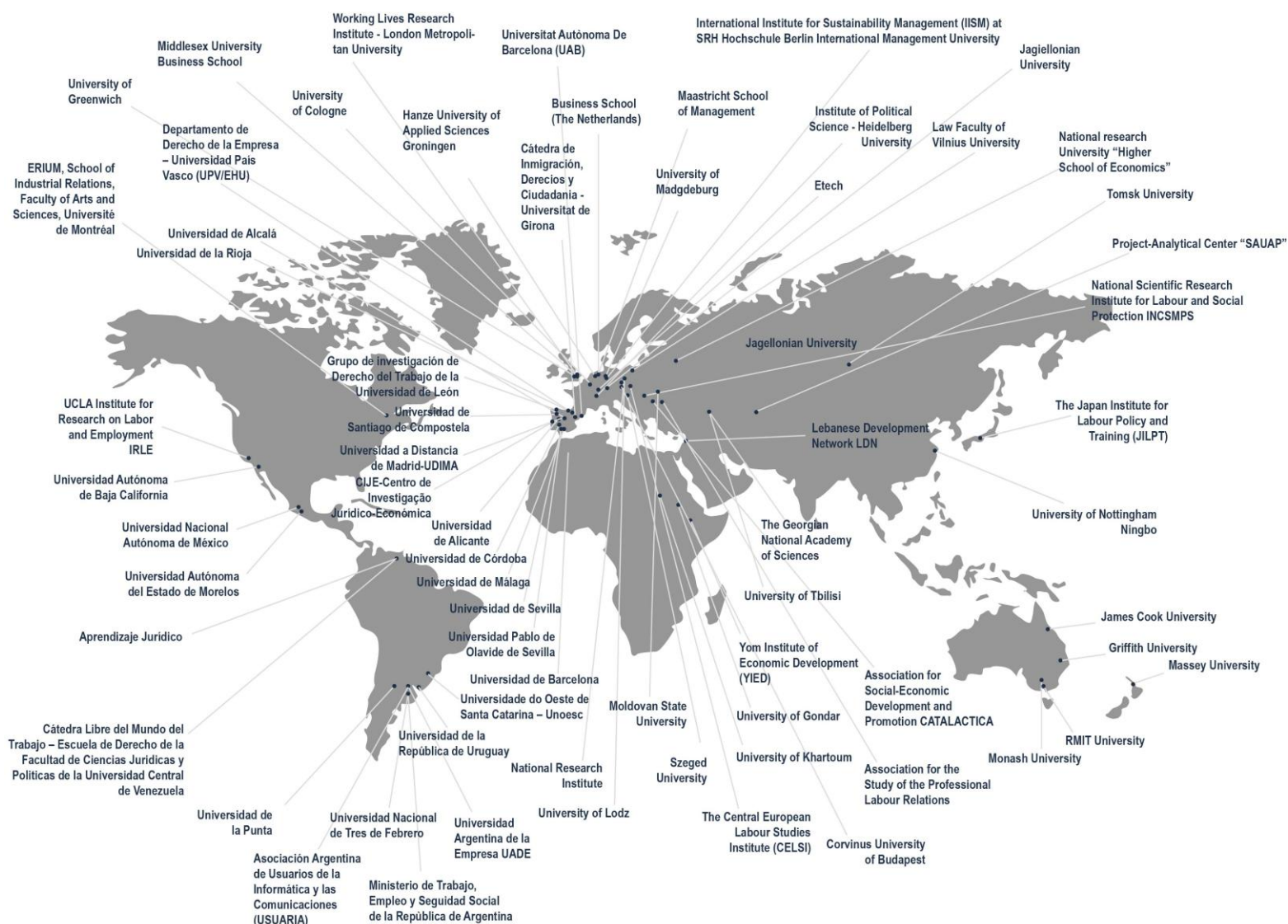
across countries. The possibility to adjust the composition and mandate of the EOX Commission over time (from production to post-sales and field safety) also indicates that participation becomes more effective when EWC structures can adapt to the lifecycle of projects. Taken together, these experiences demonstrate that when information, consultation, and participation are fully implemented, EWCs do not merely mitigate conflicts but actively contribute to creating more resilient, competitive, and socially sustainable companies. Worker participation fosters trust, improves organisational learning, and enhances the quality of corporate decisions. An international participatory model - grounded in structured dialogue, trust, transparency, and co-responsibility - strengthens companies' capacity to navigate complex processes such as restructuring, digitalisation, sustainability transitions, and changes in global value chains. It also contributes to safer workplaces, more coherent risk-prevention strategies, and a culture in which safety is understood as a shared asset rather than a regulatory obligation.

However, these experiences also help explain why comparable outcomes are not yet more widespread. First, resources, expertise, and coordination capacities remain uneven across national delegations and across companies, which can limit representatives' ability to transform information into influence. Second, EWC practices are highly sensitive to management strategies: depending on corporate priorities, consultation may remain compliance-oriented and take place too late to affect decisions. Third, participation tends to remain episodic where there are no permanent structures (e.g., select committees or thematic commissions) and no robust routines for monitoring and follow-up. In light of this, the two cases suggest that similar developments elsewhere require at least three enabling conditions: (1) timely and sufficiently detailed information to allow an assessment before decisions are finalized; (2) consultation procedures that ensure representatives can formulate positions and receive a reasoned response; and (3) stable organisational arrangements - supported by trade unions and/or experts - capable of sustaining transnational coordination, learning, and implementation over time.

Looking ahead, the evolution of EWCs will depend on the ability of social partners to consolidate these achievements and extend them to new domains. The strengthened directive provides an important opportunity to enhance the effectiveness of EWCs, but its success will require sustained commitment from companies, trade unions, and institutions. In this respect, the revised Directive should be assessed precisely in terms of whether it supports the mechanisms that enabled participation in the two cases discussed here - namely, earlier and more meaningful consultation,

clearer procedural obligations, stronger protection for representatives, an explicit role for trade unions and experts, and more credible enforcement through sanctions. While these elements can facilitate the emergence and diffusion of similar “laboratory practices”, the case studies also indicate that legal reform alone is unlikely to be sufficient without organisational investments, stable internal EWC structures, and robust linkages between EWCs, national representation, and trade union support. Only through active worker participation, constructive dialogue, and a shared vision of economic democracy can EWCs continue to function as engines of social progress, contributing simultaneously to improved working conditions, organisational competitiveness, and the long-term resilience of European multinational enterprises.

ADAPT International Network



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