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*Committee on Employment and Social Affairs*

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**2012/2061(INI)**

2.8.2012

# **AMENDMENTS 79 - 318**

**Draft report**  
**Alejandro Cercas**  
(PE489.678v02-00)

with recommendations to the Commission on Information and consultation of workers, anticipation and management of restructuring  
(2012/2061(INI))

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**EN**

*United in diversity*

**EN**

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## Amendment 79

Veronica Lope Fontagné

### Proposal for a recommendation

#### Recommendation 1

##### *Proposal for a recommendation*

– having regard to the Treaty on the Functioning of the European Union and in particular to Article **153(1)(e)** thereof,

##### *Amendment*

- having regard to the Treaty on the Functioning of the European Union, and in particular to Article **173(2) and (3)** thereof,

Or. es

## Amendment 80

Jelko Kacin, Nadja Hirsch, Veronica Lope Fontagné

### Proposal for a recommendation

#### Recommendation 1 Recital 1

##### *Proposal for a recommendation*

(1) When dealing with ***anticipation, preparation and*** management of restructuring, companies, workers' representatives and the ***other stakeholders*** act in a spirit of cooperation, based on timely and comprehensive information and consultation.

##### *Amendment*

(1) When dealing with management of restructuring, companies, workers' representatives and the ***public authorities*** act in a spirit of cooperation, based on timely and comprehensive information and consultation, ***as required by existing European Union laws such as the Collective Redundancies, Transfer of Undertakings, Framework Information and Consultation and the European Works Councils Directives.***

Or. en

## Amendment 81

Elisabeth Morin-Chartier

### Proposal for a recommendation

#### Recommendation 1 Recital 1

*Proposal for a recommendation*

(1) When dealing with anticipation, preparation and management of restructuring, companies, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation.

*Amendment*

(1) When dealing with anticipation, preparation and management of restructuring, companies, workers' representatives and the other stakeholders, ***each in their respective capacity and competence, and at a moment which corresponds to their different responsibilities***, act in a spirit of cooperation, based on timely and comprehensive information and consultation.

Or. en

**Amendment 82**  
**Sergio Gutiérrez Prieto**

**Proposal for a recommendation**  
**Recommendation 1 Recital 1**

*Proposal for a recommendation*

(1) When dealing with anticipation, preparation and management of restructuring, companies, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation.

*Amendment*

(1) When dealing with anticipation, preparation and management of restructuring, companies, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation ***by recognizing that these processes aim to protect at the same time the interests of companies as regards competitiveness and sustainability and those of their workers.***

Or. en

**Amendment 83**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 1 Recital 1**

*Proposal for a recommendation*

(1) When dealing with anticipation, preparation and management of restructuring, **companies**, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation.

*Amendment*

(1) When dealing with anticipation, preparation and management of restructuring, **employers**, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation.

Or. en

**Amendment 84**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 1 Recital 1 a (new)**

*Proposal for a recommendation*

(1) When dealing with anticipation, preparation and management of restructuring, **companies**, workers' representatives and the other stakeholders act in a spirit of cooperation, based on timely and comprehensive information and consultation.

*Amendment*

***(1a) Economically successful and socially responsible restructuring requires integrating it into a long-term strategy aiming at ensuring and strengthening the long-term sustainability and competitiveness of the company. It also requires putting human resources at the heart of companies' strategic development.***

Or. en

**Amendment 85**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1 Recital 2**

*Proposal for a recommendation*

***(2) Anticipation, preparation and management of change must take place in the context of strengthening social***

*Amendment*

***deleted***

*dialogue and with a view to promoting change in a manner compatible with the presentation of the priority objective of employment.*

Or. en

**Amendment 86**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 1 Recital 2**

*Proposal for a recommendation*

(2) Anticipation, preparation and management of change must take place in the context of strengthening social dialogue and with a view to promoting change in a manner compatible with the preservation of the priority *objective* of employment.

*Amendment*

(2) Anticipation, preparation and management of change must take place in the context of strengthening social dialogue and with a view to promoting change in a manner compatible with the preservation of the priority *objectives of competitiveness and* employment.

Or. en

**Amendment 87**  
**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 1 Recital 2**

*Proposal for a recommendation*

(2) Anticipation, preparation and management of change must take place in the context of strengthening social dialogue and with a view to promoting change in a manner compatible with the presentation of the priority objective of employment.

*Amendment*

(2) Anticipation, preparation and management of change must take place in the context of strengthening social dialogue and with a view to promoting change in a manner compatible with the preservation of the priority objectives of employment *and health of workers.*

Or. en

**Amendment 88**  
**Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1 Recital 3**

*Proposal for a recommendation*

*Amendment*

*(3) There is a need to envisage, promote and enhance anticipatory measures concerning the company situation and likely development of employment, in particular where employment may be under threat.*

*deleted*

Or. en

**Amendment 89**  
**Jelko Kacin**

**Proposal for a recommendation**  
**Recommendation 1 Recital 3**

*Proposal for a recommendation*

*Amendment*

(3) There is a need to envisage, promote and enhance *anticipatory* measures concerning the company situation and likely development of employment, in particular where employment may be under threat.

(3) There is a need to envisage, promote and enhance measures concerning the company situation and likely development of employment, in particular where employment may be under threat.

Or. en

**Amendment 90**  
**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 1 Recital 3**

*Proposal for a recommendation*

(3) There is a need to envisage, promote and enhance anticipatory measures concerning the company situation and likely development of employment, in particular where **employment** may be under threat.

*Amendment*

(3) There is a need to envisage, promote and enhance anticipatory measures concerning the company situation and likely development of employment **and working conditions**, in particular where **these** may be under threat.

Or. en

**Amendment 91**

**Veronica Lope Fontagné**

**Proposal for a recommendation  
Recommendation 1, Recital 4**

*Proposal for a recommendation*

(4) Restructuring is facilitated and its impact softened when companies develop on a permanent basis the skills and competences of their workers.

*Amendment*

(4) Restructuring is facilitated and its impact softened when companies develop on a permanent basis the skills and competences of their workers, **thereby boosting their own ability to adapt, making their workers more employable and fostering their internal and external mobility**.

Or. es

**Amendment 92**

**Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 1, Recital 4**

*Proposal for a recommendation*

(4) Restructuring is facilitated and its impact softened when companies develop on a permanent basis the skills and competences of their workers.

*Amendment*

(4) Restructuring is facilitated and its impact softened when companies develop on a **regular or** permanent basis the skills and competences of their workers.



**Amendment 93**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 1, Recital 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***(4a) Adaptable companies and resilient workforces develop, in cooperation with workers' representatives, the regional and local authorities and other relevant organisations, mechanisms of anticipation and of forward planning of employment and skills needs. They recognise the right for every worker to benefit from appropriate training. Workers recognise that education and lifelong learning are necessary to strengthen their employability.***

Or. en

**Amendment 94**  
**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 1, Recital 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***(4a) Restructuring processes impact beyond the perimeter of a single company, as companies increasingly work in networks, which intensifies the need to set up multipartite forums for debate on social issues.***

Or. en

**Amendment 95**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1, Recital 5**

*Proposal for a recommendation*

(5) Good restructuring practices require preparation as early as possible and starting as soon as the need to restructure is *envisaged*, making it possible to avoid or to reduce to a minimum its economic, social and territorial impact.

*Amendment*

(5) Good restructuring practices require preparation as early as possible and starting as soon as the need to restructure is *contemplated*, making it possible to avoid or to reduce to a minimum its economic, social and territorial impact.

Or. en

**Amendment 96**  
**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 1, Recital 5**

*Proposal for a recommendation*

(5) Good restructuring practices require preparation as early as possible and starting as soon as the need to restructure is envisaged, making it possible to avoid or to reduce to a minimum its economic, social and territorial impact.

*Amendment*

(5) Good restructuring practices require preparation as early as possible and starting as soon as the need to restructure is envisaged, making it possible to avoid or to reduce to a minimum its economic, social, *environmental* and territorial impact.

Or. en

**Amendment 97**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6**

*Proposal for a recommendation*

**(6) *It is a widely recognised that any***

*Amendment*

***deleted***

*restructuring operation should be subject to an explanation and of justification to the stakeholders.*

Or. en

**Amendment 98**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that *any* restructuring *operation* should be subject to an explanation and of justification to the stakeholders,

*Amendment*

(6) It is widely recognised that *larger-scale* restructuring *operations that are liable to have a significant impact* should be subject to an explanation and justification to the stakeholders.

Or. es

**Amendment 99**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that any restructuring operation should be *subject to* an explanation and of justification to the stakeholders.

*Amendment*

(6) It is a widely recognised that any restructuring operation should be *accompanied by* an explanation and of justification to the stakeholders.

Or. en

**Amendment 100**  
**Evelyn Regner**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders.

*Amendment*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders, ***which includes in line with national and European legislation in particular the full and appropriate involvement of employee representatives at all levels before taking a company decision.***

Or. en

**Amendment 101**

**Jutta Steinruck**

**Proposal for a recommendation  
Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders.

*Amendment*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders, ***which includes in line with national and European legislation in particular the full and appropriate involvement of employee representatives at all levels before taking a company decision.***

Or. en

**Amendment 102**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation  
Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders.

*Amendment*

(6) It is widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders, ***including on the choice of the measures envisaged in relation to the objectives and to alternative options.***

Or. en

**Amendment 103**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6**

*Proposal for a recommendation*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the stakeholders.

*Amendment*

(6) It is a widely recognised that any restructuring operation should be subject to an explanation and of justification to the ***social partners and other relevant*** stakeholders.

Or. en

**Amendment 104**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1, Recital 6 a (new)**

*Proposal for a recommendation*

*Amendment*

***(6a) Such information as is required by existing European Union Laws concerning the contemplated restructuring should be provided to employees' representative in good time to enable them to prepare for consultations. The public authorities should also be notified, in accordance with the***

*requirements of national law.*

Or. en

**Amendment 105**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation  
Recommendation 1, Recital 8**

*Proposal for a recommendation*

*Amendment*

***(8) The active involvement of public authorities at the relevant level in the preparation and management***

***deleted***

Or. en

**Amendment 106**

**Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 1, Recital 8**

*Proposal for a recommendation*

*Amendment*

(8) The active ***involvement*** of public authorities at the relevant level in the preparation ***and*** management of restructuring operations contributes greatly to limiting their negative impact.

(8) The active ***cooperation and assistance*** of public authorities at the relevant level in the preparation, management ***and above all implementation*** of restructuring operations contributes greatly to limiting their negative impact.

Or. en

**Amendment 107**

**Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 1, Recital 8**

*Proposal for a recommendation*

(8) The active involvement of public authorities at the relevant level in the preparation and management of restructuring operations contributes greatly to limiting their negative impact.

*Amendment*

(8) The active involvement of **stakeholders and** public authorities at the relevant level in the preparation and management of restructuring operations contributes greatly to limiting their negative impact.

Or. fr

**Amendment 108**

**Jutta Steinruck, Evelyn Regner**

**Proposal for a recommendation  
Recommendation 1, Recital 8**

*Proposal for a recommendation*

(8) The active involvement of public authorities at the relevant level in the preparation and management of restructuring operations contributes greatly to limiting their negative impact.

*Amendment*

(8) The active involvement of public authorities at the relevant level in the preparation and management of restructuring operations contributes greatly to limiting their negative impact. ***The same applies with regard to the involvement of local economic actors, in particular SMEs being in a situation of dependence towards the restructuring company due to their quality of suppliers or of subcontractors.***

Or. en

**Amendment 109**

**Sergio Gutiérrez Prieto**

**Proposal for a recommendation  
Recommendation 1, Recital 8a (new)**

*Proposal for a recommendation*

*Amendment*

***8a The existence of a financial support system is essential to work as an incentive to reach and implement agreements***

*within the framework of the existing legislation. This support, regardless of incentives established at national level, can be channelled through the European Regional Development Fund (ERDF) or European Social Fund (ESF) within the framework of the new financial perspectives 2014-2020, with an integrated, structural approach based on anticipation, preparation and responsible management. The European Globalisation Adjustment Fund (EGF) should continue, with strengthened capacity, in order to act in a reactive, temporary and palliative way.*

Or. en

**Amendment 110**

**Marije Cornelissen**

on behalf of the Greens/ALE Group

**Proposal for a recommendation**

**Recommendation 1, Recital 8 a (new)**

*Proposal for a recommendation*

*Amendment*

*(8a) Too much emphasis on fiscal consolidation threatens to limit the capacity of public authorities to mitigate the negative impact of restructuring, and therefore the capacity of the economy as a whole to adapt and recover.*

Or. en

**Amendment 111**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 1, Recital 8 a (new)**



*Proposal for a recommendation*

*Amendment*

***(8a) The involvement of the public authorities in managing the consequences of restructuring can assist with economic conversion and the retaining of workers.***

Or. en

**Amendment 112**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1, Recital 9**

*Proposal for a recommendation*

*Amendment*

***(9) It is important that companies, in conjunction with employees' representatives, create tools for regular evaluation and reporting on their restructuring practices.***

***deleted***

Or. en

**Amendment 113**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 1, Recital 9**

*Proposal for a recommendation*

*Amendment*

(9) It is important that companies, in conjunction with employees' representatives, ***create*** tools for regular evaluation and reporting on their restructuring practices.

(9) It is important that companies, in conjunction with employees' representatives, ***apply existing*** tools for regular evaluation and reporting on their ***activities to anticipate*** restructuring, ***in accordance with the procedures and practices developed at national level.***

Or. es

**Amendment 114**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 1, Recital 9 a (new)**

*Proposal for a recommendation*

*Amendment*

***(9a) The new focus of economic governance is the consolidation of state budgets, so that restrictions on public spending are jeopardising measures to cushion the adverse impact of restructuring operations.***

Or. de

**Amendment 115**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 1, Recital 10**

*Proposal for a recommendation*

*Amendment*

***(10) Such an Union framework should apply to major companies and groups of companies, those which employ on the territory of the Union at least 500 workers, and to restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.***

***deleted***

Or. es

**Amendment 116**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 1, Recital 10**

*Proposal for a recommendation*

(10) Such an Union framework should apply to major companies and groups of companies, ***those which employ on the territory of the Union at least 500 workers, and to restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.***

*Amendment*

(10) Such an Union framework should apply to major ***restructuring operations of*** companies and groups of companies, ***implying either an important number of workers or an important percentage of the staff of those companies, in a limited amount of time.***

Or. en

**Amendment 117  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 1, Recital 10**

*Proposal for a recommendation*

(10) Such *an* Union framework should apply to ***major companies and groups of companies, those which employ on the territory of the Union at least 500 workers, and to restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.***

*Amendment*

(10) Such *a* Union framework should apply to ***the greatest possible number of European employees, and should therefore have a broad scope.***

Or. fr

**Amendment 118  
Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation  
Recommendation 1, Recital 10**

*Proposal for a recommendation*

(10) Such an Union framework should apply to major companies and groups of companies, those which employ on the territory of the Union **at least 500 workers, and to restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.**

*Amendment*

(10) Such an Union framework should apply to major companies and groups of companies, those which employ on the territory of the Union. **Restructuring is defined as any change in a company that falls within the scope of the Collective Redundancies or Transfer of Undertakings Directives.**

Or. en

**Amendment 119  
Alejandro Cercas**

**Proposal for a recommendation  
Recommendation 1, Recital 10**

*Proposal for a recommendation*

(10) Such an EU framework should apply to major companies and groups of companies, those which employ on the territory of the EU at least 500 workers, and to the restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.

*Amendment*

(10) Such an EU framework should apply **to companies or group of companies, both privately and publicly owned, in accordance with national law and/or collective agreements. In any case** to major companies and groups of companies, those which employ on the territory of the EU at least 500 workers, and to the restructuring operations of a certain dimension, covering at least 100 workers in a single company or 500 employees in a company and its dependent companies or one or more Member States over a period of three months.

**The prescribed thresholds for the size of the workforce are defined in line with the definition included in Directive 38/2009/EC.**

**Amendment 120**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 1, Recital 11**

*Proposal for a recommendation*

(11) Any Union framework on anticipation, preparation and management of change and restructuring should encourage and give precedent to agreement between the *most concerned parties, only* in the absence of such agreement should standard rule apply.

*Amendment*

(11) Any Union framework on anticipation, preparation and management of change and restructuring should encourage and give precedent to agreement between the *company and its employees' representatives at local level. Only* in the absence of such agreement should standard rule apply.

**Amendment 121**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 1, Recital 11**

*Proposal for a recommendation*

(11) Any Union framework on anticipation, preparation and management of change and restructuring should encourage and give *precedent* to agreement between the most concerned parties, only in the absence of such agreement should standard rules apply.

*Amendment*

(11) Any Union framework on anticipation, preparation and management of change and restructuring should encourage and give *precedence* to agreement between the most concerned parties, *so that* only in the absence of such agreement should standard rules apply.

**Amendment 122**  
**Evelyn Regner**

**Proposal for a recommendation  
Recommendation 1, Recital 11 a (new)**

*Proposal for a recommendation*

*Amendment*

***(11a) This directive has to supplement and strengthen existing national and European regulations as well as negotiated agreements of representative social partners on various levels, but should never cause a deterioration of relevant standards of involvement of companies, employees' representatives, public authorities and other relevant stakeholders in their abilities to anticipate, prepare and manage corporate restructuring in a socially responsible way.***

Or. en

**Amendment 123  
Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation  
Recommendation 2, paragraph 1**

*Proposal for a recommendation*

*Amendment*

1. The purpose of the ***Directive*** is to promote ***and facilitate information and consultation in economic change and improve*** the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

1. The purpose of the ***Recommendation*** is to promote ***good practice in*** the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

Or. en

**Amendment 124  
Marije Cornelissen, Karima Delli  
on behalf of the Greens/ALE Group**

**Proposal for a recommendation  
Recommendation 2, paragraph 1**

*Proposal for a recommendation*

1. The purpose of the Directive is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

*Amendment*

1. The purpose of the Directive is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially **and environmentally** responsible way corporate restructuring.

Or. en

**Amendment 125  
Veronica Lope Fontagné**

**Proposal for a recommendation  
Recommendation 2, paragraph 1**

*Proposal for a recommendation*

1. The purpose **of the Directive** is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

*Amendment*

1. The purpose is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

Or. es

**Amendment 126  
Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 2, paragraph 1**

*Proposal for a recommendation*

1. The purpose of the Directive is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

*Amendment*

1. The purpose of the Directive is to promote and facilitate information and consultation in economic change and improve the way in which companies, employees' representatives, public authorities and other relevant stakeholders, ***each with different responsibility and a sequenced role in the process of restructuring***, throughout the Union anticipate, prepare and manage in a socially responsible way corporate restructuring.

Or. en

**Amendment 127**

**Thomas Händel**

**Proposal for a recommendation  
Recommendation 2, paragraph 2**

*Proposal for a recommendation*

***2. The present Directive covers restructuring operations affecting at least 100 employees in a single company or 500 employees in a company and its dependent companies in one or more Member States over a period of three months.***

*Amendment*

***deleted***

Or. de

**Amendment 128**

**Alejandro Cercas**

**Proposal for a recommendation  
Recommendation 2, paragraph 2**



*Proposal for a recommendation*

2. To that end, companies and employees' representatives, when dealing with restructuring, in a spirit of cooperation, by recognizing that these processes aim at protecting at the same time the interests of companies as regards competitiveness and sustainability and those of their employees.

*Amendment*

2. To that end, companies and employees' representatives, when dealing with restructuring, in a spirit of cooperation, by recognizing that these processes aim at protecting at the same time the interests of companies as regards **their** competitiveness and sustainability and those of their employees.

Or. en

**Amendment 129**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 2, paragraph 2**

*Proposal for a recommendation*

2. To that end, companies and employees' representatives, when dealing with restructuring, in a spirit of cooperation, shall recognise that these processes aim to protect both the interests of companies as regards competitiveness and sustainability, and those of their employees.

*Amendment*

2. To that end, companies and employees' representatives, when dealing with restructuring, in a spirit of cooperation, shall recognise that these processes aim to protect both the interests of companies as regards competitiveness and sustainability, and those of their employees **as regards social security and the long-term safeguarding of jobs**.

Or. de

**Amendment 130**  
**Marije Cornelissen**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 2, paragraph 2**

*Proposal for a recommendation*

2. To that end, companies and employees'

*Amendment*

2. To that end, companies and employees'

representatives, when dealing with restructuring, in a spirit of cooperation, by recognizing that these processes aim at protecting at the same time the interests of companies as regards competitiveness and sustainability and those of their employees.

representatives, when dealing with restructuring, in a spirit of cooperation, by recognizing that these processes aim at protecting at the same time the interests of companies as regards competitiveness and sustainability and those of their employees, ***as regards social security and employment, health and working conditions.***

Or. en

**Amendment 131**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1**

*Proposal for a recommendation*

*Amendment*

***Definitions and scope***

***deleted***

***1. For the purposes of the Directive:***

Or. es

**Amendment 132**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point a**

*Proposal for a recommendation*

*Amendment*

***(a) "companies" mean companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above;***

***deleted***

Or. es

**Amendment 133**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point a**

*Proposal for a recommendation*

a) "companies" mean companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above;

*Amendment*

a) "companies" mean ***national and international*** companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above;

Or. de

**Amendment 134**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point a**

*Proposal for a recommendation*

(a) "companies" *mean* companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above;

*Amendment*

(a) "companies" *means* companies and groups of companies ***having a works council as defined by national law or*** employing at least 500 employees in the Union, as well as any company part of the group referred to above;

Or. fr

**Amendment 135**  
**Marije Cornelissen**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point a**

*Proposal for a recommendation*

(a) "companies" mean companies and

*Amendment*

(a) "companies" mean companies and

groups of companies employing at least **500** employees in the Union, as well as any company part of the group referred to above;

groups of companies employing at least **250** employees in the Union *or being at least medium size according to the EU recommendation 2003/361*, as well as any company part of the group referred to above;

Or. en

**Amendment 136**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point a**

*Proposal for a recommendation*

(a) "companies" mean companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above;

*Amendment*

(a) "companies" mean companies and groups of companies employing at least 500 employees in the Union, as well as any company part of the group referred to above, *without prejudice to lower threshold provided by national law and/or collective agreements*;

Or. en

**Amendment 137**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point b**

*Proposal for a recommendation*

*(b) "dependent companies" mean companies in a situation of dependence on the ones above by reasons of subcontracting, supply contract and others;*

*Amendment*

*deleted*

Or. es

**Amendment 138**  
**Sergio Gutiérrez Prieto**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point b**

*Proposal for a recommendation*

(b) "dependent companies" mean companies in a situation of dependence of the ones above by reasons of subcontracting, supply contract and others;

*Amendment*

(b) "dependent companies" mean companies **and firms** in a situation of dependence of the ones above by reasons of subcontracting, supply contract and others;

Or. en

**Amendment 139**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point b**

*Proposal for a recommendation*

(b) "dependent companies" mean companies in a situation of dependence of the ones above by reasons of subcontracting, supply contract and others;

*Amendment*

(b) "dependent companies" mean companies in a situation of **substantial** dependence of the ones above by reasons of subcontracting, supply contract and others;

Or. en

**Amendment 140**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point c**

*Proposal for a recommendation*

***(c) "employees' representatives" mean the ones provided for by national law and/or practice;***

*Amendment*

***deleted***

Or. es

**Amendment 141**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point d**

*Proposal for a recommendation*

*Amendment*

***(d) "agreements" mean agreements concluded at the relevant level (European, national, sectoral, regional or company-level) by, on one hand, representatives of the companies or their organisations, and, on the other hand, representatives of the employees with the capacity to conclude collective agreements under national law or practice or under the procedures laid down by the competent trade union organisations at European level;***

***deleted***

Or. es

**Amendment 142**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point d**

*Proposal for a recommendation*

*Amendment*

***(d) "agreements" mean agreements concluded at the relevant level (European, national, sectoral, regional or company-level) by, on one hand, representatives of the companies or their organisations, and, on the other hand, representatives of the employees with the capacity to conclude collective agreements under national law or practice or under the procedures laid down by the competent trade union organisations at European level;***

***(d) "agreements" mean agreements concluded at the relevant level (European, national, sectoral, regional or company-level) by, on one hand, representatives of the companies or their organisations, and, on the other hand, representatives of the employees with the capacity to conclude collective agreements under national law or practice;***

Or. en

**Amendment 143**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point d**

*Proposal for a recommendation*

(d) "agreements" mean agreements concluded at the relevant level (European, national, sectoral, regional or company-level) by, on one hand, representatives *of the companies* or their organisations, and, on the other hand, representatives of the employees with the capacity to conclude collective agreements under national law or practice or under the procedures laid down by the competent trade union organisations at European level;

*Amendment*

(d) "agreements" mean agreements concluded at the relevant level (European, national, sectoral, regional or company-level) by, on one hand, **employer** representatives **and/or** their organisations, and, on the other hand, representatives of the employees with the capacity to conclude collective agreements under national law **and/or** practice or under the procedures laid down by the competent trade union organisations at European level;

Or. en

**Amendment 144**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point e**

*Proposal for a recommendation*

*(e) "employees" mean the employees of the companies covered by the Directive, irrespective of the type of employment contract;*

*Amendment*

*deleted*

Or. es

**Amendment 145**  
**Jelko Kacin, Nadja Hirsch,**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point e**

*Proposal for a recommendation*

(e) "employees" mean the employees of the companies covered by the **Directive**, **irrespective of the type of employment contract**;

*Amendment*

(e) "employees" mean the employees of the companies covered by the **Recommendation**, **as defined by national law**;

Or. en

**Amendment 146**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point e**

*Proposal for a recommendation*

(e) "employees" *mean the* employees *of the companies covered by the Directive*, **irrespective of the type of employment contract**;

*Amendment*

(e) "employees" *means* employees *on contracts of indefinite duration as defined in Regulation (EC) 1927/2006, as well as employees on fixed-term contracts, employees on contracts with temporary work agencies and self-employed workers whose economic activity is dependent on that of the company in question*;

Or. fr

**Amendment 147**  
**Marije Cornelissen**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point e**

*Proposal for a recommendation*

(e) "**employees**" mean the *employees of the companies covered by the Directive*, **irrespective of the type of employment contract**;

*Amendment*

(e) "**workers**" mean the *workers with contracts of employment of indefinite duration as in Regulation (EC) No 1927/2006, but also workers with fixed-term contracts, temporary agency workers and dependent self-employed workers*;



**Amendment 148**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point f**

*Proposal for a recommendation*

*Amendment*

**(f) "public authorities" mean bodies of the public administration at the relevant level, as designated by Member States;**

**deleted**

Or. es

**Amendment 149**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point f**

*Proposal for a recommendation*

*Amendment*

(f) "public authorities" mean bodies of the public administration at the relevant level, as designated by Member States;

(f) "public authorities" mean bodies of the public administration at the relevant level, as designated by Member States, ***including local employment services***;

Or. en

**Amendment 150**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point g**

*Proposal for a recommendation*

*Amendment*

**(g) "restructuring operation" means any re-organisation of the structure, of work processes and organisation, of the location with a quantitative or qualitative**

**deleted**

*impact on employment;*

Or. es

**Amendment 151**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 3, paragraph 1, point g**

*Proposal for a recommendation*

(g) "restructuring operation" means any *re-organisation of the structure, of work processes and organisation, of the location with a quantitative or qualitative impact on employment;*

*Amendment*

(g) "restructuring operation" means any *changes which falls within the scope of the Collective Redundancies or transfer of Undertaking Directives;*

Or. en

**Amendment 152**

**Alejandro Cercas**

**Proposal for a recommendation**

**Recommendation 3, paragraph 1, point g**

*Proposal for a recommendation*

(g) "restructuring operation" means any re-organisation of the structure, of work processes and organisation, of the location with a quantitative or qualitative impact on employment;

*Amendment*

(g) "restructuring operation" means any *substantial process or measure to be adopted by the company or the employer addressed to re-organisation of the corporate and business structure, of work processes and organisation, of the location with a quantitative or qualitative impact on employment;*

Or. en

**Amendment 153**

**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point g a (new)**

*Proposal for a recommendation*

*Amendment*

***(ga) "employability" means the employee's ability, in the light of his or her skills, experience and training, to obtain work or change jobs.***

Or. fr

**Amendment 154**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point g a (new)**

*Proposal for a recommendation*

*Amendment*

***(ga) "information" is defined in line with the provision/definition in the European Society legislation and European Works Council directive EC 38/2009;***

Or. en

**Amendment 155**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 1, point g b (new)**

*Proposal for a recommendation*

*Amendment*

***(gb) "consultation" is defined in line with the provision/definition in European Societies legislation and European Works Council directive EC 38/2009;***

Or. en

**Amendment 156**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 2**

*Proposal for a recommendation*

*Amendment*

**2. The present Directive covers restructuring operations affecting at least 100 employees in a single company or 500 employees in a company and its dependent companies in one or more Member States over a period of three months.**

*deleted*

Or. en

**Amendment 157**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 2**

*Proposal for a recommendation*

*Amendment*

**2. The present Directive covers restructuring operations affecting at least 100 employees in a single company or 500 employees in a company and its dependent companies in one or more Member States over a period of three months.**

*deleted*

Or. es

**Amendment 158**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 2**

*Proposal for a recommendation*

*Amendment*

2. The present Directive covers

2. The present Directive covers

restructuring operations affecting ***at least 100 employees in a single company or 500 employees in a company and its dependent companies*** in one or more Member States over a ***period of three months***.

restructuring operations affecting ***either a certain amount of employees within the company or the group of companies, or a certain percentage of the same*** in one or more Member States over a ***limited amount of time***.

Or. en

**Amendment 159**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 3, paragraph 2**

*Proposal for a recommendation*

2. The present ***Directive*** covers restructuring operations affecting at least 100 employees in a single company or 500 employees in a company and its dependent companies in one or more Member States over a period of three months.

*Amendment*

2. The present ***text***, covers restructuring operations affecting at least 100 employees in a single company or 500 employees in a company and its dependent companies in one or more Member States over a period of three months. ***This is without prejudice to lower thresholds provided for by national law and/or collective agreements.***

Or. en

**Amendment 160**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 4, Title**

*Proposal for a recommendation*

***Long-term strategic planning, adaptability and employability***

*Amendment*

***Adaptability*** and employability

Or. en

**Amendment 161**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 1**

*Proposal for a recommendation*

**1. Any restructuring operation shall be integrated into a long-term strategy that aims to ensure and strengthening the long-term sustainability and competitiveness of the company.**

*Amendment*

**deleted**

Or. en

**Amendment 162**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 1**

*Proposal for a recommendation*

**1. Any restructuring operation shall be *integrated into* a long-term strategy that aims to ensure and *strengthening* the long-term sustainability and competitiveness of the company.**

*Amendment*

**1. *Companies shall develop* a long-term strategy that aims to ensure and *strengthen* the long-term sustainability and competitiveness of the company *and into which any restructuring operation must be integrated.***

Or. fr

**Amendment 163**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 1**

*Proposal for a recommendation*

**1. Any restructuring operation *shall* be integrated into a long-term strategy that aims to ensure and strengthening the long-**

*Amendment*

**1. Any restructuring operation *must* be integrated into a long-term strategy that aims to ensure and strengthening the long-**

term sustainability and competitiveness of the company.

term sustainability and competitiveness of the company *and job security*.

Or. de

**Amendment 164**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 1**

*Proposal for a recommendation*

1. Any restructuring operation shall be integrated into a long-term strategy that aims to ensure and *strengthening* the long-term sustainability and competitiveness of the company.

*Amendment*

1. Any restructuring operation shall be integrated into a long-term strategy that aims to ensure and *strengthen* the long-term sustainability and competitiveness of the company, *while stimulating a culture geared to innovation*.

Or. es

**Amendment 165**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 1 a (new)**

*Proposal for a recommendation*

*Amendment*

*1a. It is recognised that in most cases companies are forced to restructure because of unforeseen changes in market conditions or because of developments in technology.*

Or. en

**Amendment 166**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**

## Recommendation 4, paragraph 2

*Proposal for a recommendation*

2. **Long-term strategic planning shall include** human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to **manage** their internal and external mobility.

*Amendment*

2. **Good practice require that companies should put in place** human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to **enhance** their internal and external mobility.

Or. en

## Amendment 167

**Veronica Lope Fontagné**

### Proposal for a recommendation Recommendation 4, paragraph 2

*Proposal for a recommendation*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to manage their internal and external mobility.

*Amendment*

2. Long-term strategic planning shall include **economic developments, as well as** human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to manage their internal and external mobility.

Or. es

## Amendment 168

**Marije Cornelissen**

on behalf of the Greens/ALE Group



**Proposal for a recommendation**  
**Recommendation 4, paragraph 2**

*Proposal for a recommendation*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to manage their internal and external mobility.

*Amendment*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness **and sustainability** of the company and its capacity of adaptation, as well as to increase the employability of employees and to manage their internal and external mobility.

Or. en

**Amendment 169**  
**Marije Cornelissen**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 4, paragraph 2**

*Proposal for a recommendation*

2. Long-term strategic planning **shall include** human resources, employment and skills objectives **that focus** on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to manage their internal and external mobility.

*Amendment*

2. Long-term strategic planning **includes** human resources, employment and skills objectives **focussed** on developing on a permanent basis the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees, **to ease the transitions of employees** and to **facilitate** their internal and external mobility.

Or. en

**Amendment 170**  
**Olle Ludvigsson**

**Proposal for a recommendation  
Recommendation 4, paragraph 2**

*Proposal for a recommendation*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to **increase** the **employability** of employees and to **manage** their internal and external mobility.

*Amendment*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to **ease** the **transitions** of employees and to **facilitate** their internal and external mobility.

Or. en

**Amendment 171  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 4, paragraph 2**

*Proposal for a recommendation*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to **manage** their internal and external mobility.

*Amendment*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to increase the employability of employees and to **facilitate** their internal and external mobility.

Or. fr

**Amendment 172  
Thomas Händel**

**Proposal for a recommendation**

## Recommendation 4, paragraph 2

### *Proposal for a recommendation*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to **increase the employability** of employees and to **manage** their internal and external mobility.

### *Amendment*

2. Long-term strategic planning shall include human resources, employment and skills objectives that focus on developing, on a permanent basis, the skills and competences of the workforce in order to increase the competitiveness of the company and its capacity of adaptation, as well as to **facilitate transfers** of employees and to **create scope for** their internal and external mobility.

Or. de

## Amendment 173

Jelko Kacin, Marian Harkin, Nadja Hirsch

### Proposal for a recommendation Recommendation 4, paragraph 3

#### *Proposal for a recommendation*

3. To that end, companies **shall recognise the right of every employee to benefit from appropriate training**. **Employees** shall recognise that education and lifelong learning are necessary to enhance their employability **and shall accept relevant training offers**.

#### *Amendment*

3. To that end, companies **and employees** shall recognise that education and lifelong learning are necessary to enhance their employability.

Or. en

## Amendment 174

Veronica Lope Fontagné

### Proposal for a recommendation Recommendation 4, paragraph 3

*Proposal for a recommendation*

3. To that end, companies shall **recognise the right of every employee to benefit from** appropriate training. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

*Amendment*

3. To that end, companies shall **encourage employees' access** to appropriate training. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

Or. es

**Amendment 175**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 4, paragraph 3**

*Proposal for a recommendation*

3. To that end, companies recognize the right for every employee to benefit from appropriate training. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

*Amendment*

3. To that end, companies recognize the right for every employee to benefit from appropriate training, **whatever their age or type of contact**. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

Or. en

**Amendment 176**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 3**

*Proposal for a recommendation*

3. To that end, companies shall recognise the right of every employee to benefit from appropriate training. Employees shall recognise that education and lifelong

*Amendment*

3. To that end, companies shall recognise the right of every employee to benefit from appropriate training **leading to a diploma or certificate of competence**. Employees

learning are necessary to enhance their employability and shall accept relevant training offers.

shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

Or. fr

**Amendment 177**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 3**

*Proposal for a recommendation*

3. To that end, companies shall recognise the right of every employee to benefit from appropriate training. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

*Amendment*

3. To that end, companies shall recognise the right of every employee to benefit from appropriate training ***in order to anticipate changed job requirements within companies***. Employees shall recognise that education and lifelong learning are necessary to enhance their employability and shall accept relevant training offers.

Or. fr

**Amendment 178**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 3 a (new)**

*Proposal for a recommendation*

***3a. As part of a human resources plan involving a lifelong career planning process, the company shall draw up a report for each department or for the whole company making it possible to monitor the development of training and***

*Amendment*

*of career plans.*

Or. fr

**Amendment 179**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 4, paragraph 3 b (new)**

*Proposal for a recommendation*

*Amendment*

***3b. The training courses on offer must represent a genuine long-term investment, whatever the age of the worker. They must cover in particular the needs of advanced industrial sectors, new information and communication technology, the transition to a green economy, and health care, and more widely the sectors that will be most effective in achieving the objectives of the EU 2020 strategy. The selection and targeting of the training courses offered to employees shall take place after consultation with the sector's social partners at all levels where a debate on economic changes is under way.***

Or. fr

**Amendment 180**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, title**

*Proposal for a recommendation*

*Amendment*

***Anticipation*** of employment and skills needs

***Identification*** of employment and skills needs

Or. en

**Amendment 181**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 1**

*Proposal for a recommendation*

1. Companies *shall develop, in cooperation* with employees' representatives *and, where applicable, with public authorities and other relevant stake-holders, mechanisms that anticipate and plan for* future employment and skills needs.

*Amendment*

1. Companies *should discuss, within the framework of existing European union information and consultation laws* with employees' representatives future employment and skills needs.

Or. en

**Amendment 182**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 1**

*Proposal for a recommendation*

1. *Companies shall* develop, in *cooperation* with employees' representatives *and, where applicable,* with public authorities and other relevant stake-holders, mechanisms *that anticipate and plan for future* employment and skills needs.

*Amendment*

1. *Employers* develop, in *consultation* with employees' representatives, *with due regard for their reciprocal rights and obligations, and as appropriate* with public authorities and other relevant stake-holders, mechanisms *of anticipation and of forward-looking planning of* employment and skills needs.

Or. en

**Amendment 183**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 1**

*Proposal for a recommendation*

1. Companies shall develop, ***in cooperation*** with employees' representatives and, where applicable, with public authorities and other relevant stakeholders, mechanisms that anticipate and plan for future employment and skills needs.

*Amendment*

1. Companies shall develop, with employees' representatives and, where applicable, with public authorities and other relevant stakeholders, mechanisms that anticipate and plan for future employment and skills needs.

Or. de

**Amendment 184**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 1**

*Proposal for a recommendation*

1. Companies ***shall*** develop, in cooperation with employees' representatives and, where applicable, with public authorities and other relevant stakeholders, mechanisms that anticipate and plan for future employment and skills needs.

*Amendment*

1. Companies ***may*** develop, in cooperation with employees' representatives and, where applicable, with public authorities and other relevant stakeholders, mechanisms that anticipate and plan for future employment and skills needs.

Or. es

**Amendment 185**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, introductory part**

*Proposal for a recommendation*

2. ***To that end***, companies ***shall*** establish, ***in co-operation with employees' representatives and other relevant stakeholders***:

*Amendment*

2. ***Good practice provides for*** companies ***to*** establish ***human resource development plans tailored to their own individual circumstances. Examples of such good practice include, but are not limited to:***



**Amendment 186**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, introductory part**

*Proposal for a recommendation*

2. To that **end**, **companies** shall establish, **in co-operation** with employees' representatives and other relevant stakeholders:

*Amendment*

2. To that **purpose**, **employers** shall establish, **information and consultation procedures** with employees' representatives **with a view of reaching and agreement**, and other relevant stakeholders:

**Amendment 187**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, introductory part**

*Proposal for a recommendation*

2. To that end, companies **shall** establish, in co-operation with employees' representatives and other relevant stakeholders:

*Amendment*

2. To that end, companies **may** establish, in co-operation with employees' representatives and other relevant stakeholders:

**Amendment 188**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point a**

*Proposal for a recommendation*

*Amendment*

***(a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative;***

***deleted***

Or. en

### **Amendment 189**

**Jutta Steinruck**

**Proposal for a recommendation  
Recommendation 5, paragraph 2, point a**

*Proposal for a recommendation*

*Amendment*

(a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative;

(a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative; ***continuing education and training must be accessible to all workers equally regardless of age, gender, nationality and employment status;***

Or. en

### **Amendment 190**

**Veronica Lope Fontagné**

**Proposal for a recommendation  
Recommendation 5, paragraph 2, point a**

*Proposal for a recommendation*

*Amendment*

(a) mechanisms for the long-term planning

(a) mechanisms for the long-term planning

of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative;

of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account *economic developments and* the foreseeable evolution of employment and skills, both positive and negative;

Or. es

**Amendment 191**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point a**

*Proposal for a recommendation*

a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative;

*Amendment*

a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable evolution of employment and skills, both positive and negative;  
*mechanisms to determine the current skill levels of individual employees;*

Or. de

**Amendment 192**  
**Marije Cornelissen, Karima Delli,**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point a**

*Proposal for a recommendation*

(a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable

*Amendment*

(a) mechanisms for the long-term planning of quantitative and qualitative employment and skills needs that are linked to innovation and development strategies and that take into account the foreseeable

evolution of employment **and** skills, both positive and negative;

evolution of employment skills **and working conditions**, both positive and negative;

Or. en

**Amendment 193**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b**

*Proposal for a recommendation*

*Amendment*

**(b) multiannual plans of employment and skills development covering the following areas:**

**deleted**

Or. en

**Amendment 194**

**Marije Cornelissen, Karima Delli**

on behalf of the Greens/ALE Group

**Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b**

*Proposal for a recommendation*

*Amendment*

(b) multiannual plans of employment, skills development covering the following areas:

(b) multiannual plans of employment, skills **and working conditions** development covering the following areas:

Or. en

**Amendment 195**

**Elisabeth Morin-Chartier**

**Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b**

*Proposal for a recommendation*

(b) multiannual plans of employment and skills development covering the **following** areas:

*Amendment*

(b) multiannual plans of employment and skills development covering the **most relevant** areas:

Or. en

**Amendment 196**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b**

*Proposal for a recommendation*

(b) multiannual plans of employment and skills development covering the following areas:

*Amendment*

(b) multiannual plans of employment and skills development covering the following areas **for example**:

Or. en

**Amendment 197**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 1**

*Proposal for a recommendation*

– support for the creation of learning **advisors** to help employees select adequate training;

*Amendment*

– support for the creation of **a** learning **culture** to help employees select **and follow** adequate training;

Or. es

**Amendment 198**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 1a (new)**

*Proposal for a recommendation*

*Amendment*

*– identification and anticipation of  
competence and qualifications needs;*

Or. en

**Amendment 199**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 1a (new)**

*Proposal for a recommendation*

*Amendment*

*- identifying and anticipating needs for  
skills and qualifications;*

Or. fr

**Amendment 200**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 2**

*Proposal for a recommendation*

*Amendment*

– regular individual skills assessment  
leading to individual training maps;

- regular individual skills assessment  
leading to individual training maps, *the use  
of which shall be at the discretion of the  
employee;*

Or. fr

**Amendment 201**  
**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 2 a (new)**

*Proposal for a recommendation*

*Amendment*

*– regular working conditions assessments especially in regard to the organisation of work;*

Or. en

**Amendment 202**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 2 a (new)**

*Proposal for a recommendation*

*Amendment*

*- training plans;*

Or. fr

**Amendment 203**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2, point b, subpoint 3**

*Proposal for a recommendation*

*Amendment*

*– individual training plans **with quantitative targets**;*

*- individual training plans, **the content of which must be defined by agreement with the employee**;*

Or. fr

**Amendment 204**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 2 b, subpoint 6**

*Proposal for a recommendation*

*Amendment*

*– training **packages, if needed, in co-***

*– training **programs, both in-house and***

*operation with external stakeholders;*

*externally;*

Or. en

#### **Amendment 205**

**Veronica Lope Fontagné**

#### **Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b, subpoint 6**

*Proposal for a recommendation*

*Amendment*

– training *packages, if needed, in co-operation with external stakeholders;*

– training *programmes, both internal and external;*

Or. es

#### **Amendment 206**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

#### **Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b subpoint 8**

*Proposal for a recommendation*

*Amendment*

– specific training measures to *tackle possible negative or problematic developments.*

– specific training measures to *deal with identified problems.*

Or. en

#### **Amendment 207**

**Veronica Lope Fontagné**

#### **Proposal for a recommendation**

**Recommendation 5, paragraph 2, point b, subpoint 8**

*Proposal for a recommendation*

*Amendment*

– specific training measures to *tackle possible negative or problematic developments.*

– specific training measures *that will help to combat concrete identified problems.*



**Amendment 208**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 3**

*Proposal for a recommendation*

*Amendment*

**3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. Any refusal to accept that offer by employees shall only be permitted on justified grounds.** *deleted*

**Amendment 209**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 3**

*Proposal for a recommendation*

*Amendment*

**3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. Any refusal to accept that offer by employees shall only be permitted on justified grounds.** *deleted*

**Amendment 210**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 3**

*Proposal for a recommendation*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. ***Any refusal to accept that offer by employees shall only be permitted on justified grounds.***

*Amendment*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement.

Or. de

**Amendment 211  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 5, paragraph 3**

*Proposal for a recommendation*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. ***Any refusal to accept that offer by employees shall only be permitted on justified grounds.***

*Amendment*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement ***with a view to facilitating coherent and attractive employment transitions for employees.***

Or. fr

**Amendment 212  
Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 5, paragraph 3**

*Proposal for a recommendation*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. Any refusal to accept that offer by employees shall only be permitted on justified grounds.

*Amendment*

3. Every employee shall be offered a given number of hours of training per year to be determined by law or collective agreement. Any refusal to accept that offer by employees shall only be permitted on justified grounds. ***However, the training needs should be mainly identified through***

*5-year skill-assessment, to check that their employability is maintained.*

Or. en

**Amendment 213**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 5, paragraph 3 a (new)**

*Proposal for a recommendation*

*Amendment*

*3a. The training needs of individual employees should be reviewed on a regular basis and appropriate training solutions identified, where necessary.*

Or. en

**Amendment 214**

**Veronica Lope Fontagné**

**Proposal for a recommendation**

**Recommendation 5, paragraph 4**

*Proposal for a recommendation*

*Amendment*

*4. The provisions of paragraphs 1 to 3 above do not apply to companies and employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and forward-looking planning of employment and skills needs.*

*deleted*

Or. es

**Amendment 215**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

## Recommendation 5, paragraph 4

*Proposal for a recommendation*

*Amendment*

**4. The provisions of paragraphs 1 to 3 above do not apply to companies and employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and forward-looking planning of employment and skills needs.**

*deleted*

Or. en

## Amendment 216

Elisabeth Morin-Chartier

### Proposal for a recommendation Recommendation 5, paragraph 4

*Proposal for a recommendation*

*Amendment*

4. The provisions of paragraphs 1 to 3 above do not apply to companies and employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and forward-looking planning of employment and skills needs.

4. The provisions of paragraphs 1 to 3 above do not apply to companies and employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and **skills or assessment** forward-looking planning of employment and skills needs.

Or. en

## Amendment 217

Evelyn Regner

### Proposal for a recommendation Recommendation 5, paragraph 4

*Proposal for a recommendation*

*Amendment*

4. The provisions of paragraphs 1 to 3 above do not apply to companies and

4. The provisions of paragraphs 1 to 3 above do not apply to companies and

employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and forward-looking planning of employment and skills needs.

employees covered by an agreement, concluded at the relevant level and with the relevant parties, on the procedures for anticipating and forward-looking planning of employment and skills needs. ***An agreement to establish a European Works Council (EC 38/2099 resp. EC 98/1994) does not apply as such an agreement to this effect.***

Or. en

**Amendment 218**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***4a. Whenever possible and appropriate, companies:***

***(a) develop the mechanisms and plans provided for in paragraph 2 in close operation with external actors, including regional authorities, universities and other education and training providers, technological institutes, innovation centres and development agencies;***

***(b) participate or contribute to external employment and skills observatories, partnerships, networks and other relevant initiatives taken in the region and/or sector concerned.***

Or. en

**Amendment 219**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***4a. Companies should discuss employment and training plans with existing employees' representatives, as provided for by national law or practice.***

Or. en

**Amendment 220  
Thomas Händel**

**Proposal for a recommendation  
Recommendation 5, paragraph 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***4a. The practical implementing arrangements shall be laid down in an agreement concluded between the parties concerned.***

Or. de

**Amendment 221  
Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation  
Recommendation 5, paragraph 5**

*Proposal for a recommendation*

*Amendment*

***5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development.***

***deleted***

Or. en

**Amendment 222**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 5**

*Proposal for a recommendation*

5. Dependent companies shall be informed of the *mechanisms* and plans provided for in paragraph 2. Their employees *shall* be covered by those *mechanisms* and plans upon the request of the dependent company, justified on the grounds that those *mechanisms* and plans are required or useful for their own adaptation and development.

*Amendment*

5. Dependent companies shall be informed of the *assessments* and plans provided for in paragraph 2. Their employees *may* be covered by those *assessments* and plans upon the request of the dependent company, justified on the grounds that those *assessments* and plans are required or useful for their own adaptation and development.

Or. es

**Amendment 223**  
**Marije Cornelissen, Karima Delli**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 5**

*Proposal for a recommendation*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development.

*Amendment*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development. ***This shall not preclude dependent companies from developing their own mechanisms.***

Or. en

**Amendment 224**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 5**

*Proposal for a recommendation*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development.

*Amendment*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development. ***This shall not preclude dependent companies from developing their own mechanisms.***

Or. en

**Amendment 225**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 5**

*Proposal for a recommendation*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development.

*Amendment*

5. Dependent companies shall be informed of the mechanisms and plans provided for in paragraph 2. Their employees shall be covered by those mechanisms and plans upon the request of the dependent company, justified on the grounds that those mechanisms and plans are required or useful for their own adaptation and development. ***This shall not preclude dependent companies from developing their own mechanisms.***

Or. de



**Amendment 226**  
**Marije Cornelissen**

**Proposal for a recommendation**  
**Recommendation 5, paragraph 5 a (new)**

*Proposal for a recommendation*

*Amendment*

***5a. Companies shall reserve adequate financial means to be able to cofinance the activities referred to in points 1-5.***

Or. en

**Amendment 227**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 6, title**

*Proposal for a recommendation*

*Amendment*

***Early preparation***

***Timely information and consultation***

Or. en

**Amendment 228**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

*Amendment*

***1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.***

***deleted***

**Amendment 229**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

**1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.**

*Amendment*

**deleted**

**Amendment 230**  
**Marije Cornelissen**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

**1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.**

*Amendment*

**1. Any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned, *including workers' councils*, with a view to preventing or alleviating its economic, social and local impact, *except in circumstances where restructuring is triggered by a sudden and unforeseen event for which the employer could not reasonably be expected to prepare, e.g. a natural disaster.***

**Amendment 231**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

1. ***Except in circumstances where restructuring is triggered by unforeseen or sudden events, any*** restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

*Amendment*

1. ***Any*** restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

Or. en

**Amendment 232**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be ***preceded by an appropriate preparation*** with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

*Amendment*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be ***conducted*** with all the stakeholders concerned, ***according to their respective competences***, with a view to preventing or alleviating its economic, social and local impact.

Or. en

**Amendment 233**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

*Amendment*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation, ***above all any such operation that is liable to have a significant negative impact***, shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

Or. es

**Amendment 234**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1**

*Proposal for a recommendation*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with all the stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

*Amendment*

1. Except in circumstances where restructuring is triggered by unforeseen or sudden events, any restructuring operation shall be preceded by an appropriate preparation with ***the social partners and other relevant*** stakeholders concerned with a view to preventing or alleviating its economic, social and local impact.

Or. en

**Amendment 235**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 1 a (new)**

*Proposal for a recommendation*

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*Amendment*

***1a. Restructuring is in general triggered by exceptional circumstances resulting***

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*from changes in markets or developments in technology. It is in the interest of all concerned that when such exceptional circumstances occur management and employees engage in timely discussions in line with the information and consultation requirements of existing European Union legislation.*

Or. en

**Amendment 236**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 6, paragraph 1 b (new)**

*Proposal for a recommendation*

*Amendment*

*1b. Any proposed restructuring operation should be fully explained to employees' representatives who should be given such information about the proposed restructuring as to enable them to undertake an in-depth assessment and to prepare for consultations, where appropriate.*

Or. en

**Amendment 237**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 6, paragraph 1 b (new)**

*Proposal for a recommendation*

*Amendment*

*1b. After having considered the information provided the employees' representatives may, within a reasonable time, offer an opinion on the measures envisaged which can be taken into account by the company when finalising*

*its decisions.*

Or. en

**Amendment 238**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 6, paragraph 1 c (new)**

*Proposal for a recommendation*

*Amendment*

***1c. Companies shall, from the outset, inform the public authorities at the relevant level, in particular at local level.***

Or. en

**Amendment 239**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 6, paragraph 1 c (new)**

*Proposal for a recommendation*

*Amendment*

***1c. The local economic actors, in particular companies and their employees in a situation of dependence in relation to the restructuring company should also be informed from the beginning about the proposed restructuring.***

Or. en

**Amendment 240**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**

**Recommendation 6, paragraph 2**

*Proposal for a recommendation*

*Amendment*

**2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated. except in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact.**

*deleted*

Or. en

**Amendment 241  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 6, paragraph 2**

*Proposal for a recommendation*

*Amendment*

2. This preparation ***shall be carried out as early as possible and*** shall start as soon as the need to restructure is contemplated. Except in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact.

2. This preparation shall start as soon as the need to restructure is contemplated, ***in accordance with methods and procedures negotiated at sectoral, regional or company level, as appropriate.*** Except in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact. ***Anticipation of possible restructuring must be integrated into the way the company works, through the provision of continuous information on the economic situation not just of the company but also of the sector.***

Or. fr

**Amendment 242**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 2**

*Proposal for a recommendation*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated. ***Except in the exceptional circumstances referred to in paragraph 1 above, it*** shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact.

*Amendment*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated. ***It*** shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact

Or. en

**Amendment 243**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 2**

*Proposal for a recommendation*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated. *except* in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out ***within a timeframe*** that ***allows*** for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact.

*Amendment*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated. *Except* in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out ***in accordance with the strategy previously adopted*** that ***will allow*** for the adoption of measures making it possible to avoid or to mitigate to the minimum its ***negative*** economic, social and local impact.

Or. es



#### **Amendment 244**

**Marije Cornelissen, Karima Delli**

on behalf of the Greens/ALE Group

#### **Proposal for a recommendation**

#### **Recommendation 6, paragraph 2**

##### *Proposal for a recommendation*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated except in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out within a timeframe that allows for the adoption of measures making it possible to avoid or to mitigate to the minimum its economic, social and local impact.

##### *Amendment*

2. This preparation shall be carried out as early as possible and shall start as soon as the need to restructure is contemplated except in the exceptional circumstances referred to in paragraph 1 above, it shall be carried out within a timeframe that allows for ***meaningful consultation of all concerned stakeholders*** and the adoption of measures making it possible to avoid or to reduce to the minimum its economic, social and local impact.

Or. en

#### **Amendment 245**

**Frédéric Daerden, Pervenche Berès,**

#### **Proposal for a recommendation**

#### **Recommendation 6, paragraph 2 a (new)**

##### *Proposal for a recommendation*

##### *Amendment*

***2a. It is crucial that there should be transparency and timely information for employees concerning a company's situation so that they can be involved in restructuring and in the processes of anticipating change. Employees must be involved in discussions at an early stage so that they can take part in the processes of company restructuring, or of planning the possible buy-out of the company in the event of closure.***

Or. fr

**Amendment 246**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 6, paragraph 2 a (new)**

*Proposal for a recommendation*

*Amendment*

***2a. In the context of any restructuring the impact on dismissals should be dealt with as a priority, with a clear and transparent commitment by the company with regard to employment.***

Or. fr

**Amendment 247**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 7, Title**

*Proposal for a recommendation*

*Amendment*

***Information and consultation concerning business decisions***

***deleted***

Or. en

**Amendment 248**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 7, Title**

*Proposal for a recommendation*

*Amendment*

Information and consultation concerning business ***decisions***

Information and consultation concerning business ***restructuring liable to have a significant negative impact***

Or. es

**Amendment 249**  
**Thomas Mann**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

*Amendment*

**1. Any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.** **deleted**

Or. de

**Amendment 250**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

*Amendment*

**1. Any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.** **deleted**

Or. en

**Amendment 251**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

*Amendment*

**1. Any restructuring operation shall be** **1. All relevant stakeholders, and in**

*subject to an early explanation and justification to all the relevant stakeholders* on the basis of *either* long-term strategic goals and requirements or short-term constraints.

*particular employees' representatives, must be informed in writing of the reasons for any restructuring operation before any practical measures are taken, irrespective of whether the restructuring operation is to be carried out* on the basis of long-term strategic goals and requirements or short-term constraints.

Or. de

**Amendment 252**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

1. Any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

*Amendment*

1. *Beyond the obligations in EU worker information and consultation rules*, any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

Or. en

**Amendment 253**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

1. Any restructuring operation shall be *subject to an early explanation and justification to* all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

*Amendment*

1. Any restructuring operation, *in particular any such operation that is liable to have a significant negative impact in terms of possible job losses*, shall be *accompanied by the implementation of early information mechanisms addressing* all the relevant

stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

Or. es

**Amendment 254**  
**Jutta Steinruck**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

1. Any restructuring operation shall be subject to an early explanation and justification to **all the** relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

*Amendment*

1. Any restructuring operation shall be subject to an early explanation and justification to **social partners and other** relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

Or. en

**Amendment 255**  
**Sergio Gutiérrez Prieto**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 1**

*Proposal for a recommendation*

1. Any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

*Amendment*

1. Any restructuring operation shall be subject to an early explanation and justification to all the relevant stakeholders on the basis of either long-term strategic goals and requirements or short-term constraints.

***This obligation shall apply irrespective of whether the decision regarding restructuring is being taken by the company or by a group controlling the company.***

**Amendment 256**  
**Thomas Mann**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 2**

*Proposal for a recommendation*

*Amendment*

**2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged in order to achieve the objectives and of other possible options, in the light of all the interests concerned.** *deleted*

**Amendment 257**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 2**

*Proposal for a recommendation*

*Amendment*

**2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged in order to achieve the objectives and of other possible options, in the light of all the interests concerned.** *deleted*

**Amendment 258**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 2**

*Proposal for a recommendation*

2. The **dialogue** provided for in paragraph 1 shall include the justification **of** the choice of the measures envisaged in order to achieve the objectives and of other possible options, in the light of all the interests concerned.

*Amendment*

2. The **justification** provided for in paragraph 1 shall include the **reason for** the choice of the measures envisaged in order to achieve the objectives and of other possible options, in the light of all the interests concerned.

Or. en

**Amendment 259**

**Veronica Lope Fontagné**

**Proposal for a recommendation  
Recommendation 7, paragraph 2**

*Proposal for a recommendation*

2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged in order to achieve the objectives **and of** other possible options, in the light of all the interests concerned.

*Amendment*

2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged in order to achieve the objectives, **after having evaluated** other possible options, in the light of all the interests concerned.

Or. es

**Amendment 260**

**Thomas Händel**

**Proposal for a recommendation  
Recommendation 7, paragraph 2**

*Proposal for a recommendation*

2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged in order to achieve the objectives and of other possible options, in the light of all the interests concerned.

*Amendment*

2. The dialogue provided for in paragraph 1 shall include the justification of the choice of the measures envisaged, **the description of the individual measures, the impact of the measures envisaged on the employees and the company's legal and financial situation, the products**

*involved and the scope and time scale of the measures. The dialogue shall also cover measures such as outsourcing, the splitting of the company and the establishment of new domestic and foreign subsidiaries, in order to achieve the objectives and of other possible options, in the light of all the interests concerned.*

Or. de

**Amendment 261**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 2 a (new)**

*Proposal for a recommendation*

*Amendment*

*2a. Employees' representatives must be informed and consulted at a sufficiently early stage so that the management of the company or group of companies can still respond to proposals made by those representatives and alter their plans and decisions. Employees' representatives must not be presented with a fait accompli.*

Or. de

**Amendment 262**  
**Thomas Mann**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 3**

*Proposal for a recommendation*

*Amendment*

*3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, and involve them in the preparation of the*

*deleted*



*restructuring process.*

Or. de

**Amendment 263**

**Jelko Kacin, Marian Harkin, Nadja Hirsch,**

**Proposal for a recommendation  
Recommendation 7, paragraph 3**

*Proposal for a recommendation*

*Amendment*

**3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, and involve them in the preparation of the restructuring process.**

*deleted*

Or. en

**Amendment 264**

**Veronica Lope Fontagné**

**Proposal for a recommendation  
Recommendation 7, paragraph 3**

*Proposal for a recommendation*

*Amendment*

**3. Companies shall *from the beginning inform* the public authorities at the relevant level, in particular at local level, *and involve* them in the preparation of the restructuring process.**

**3. Companies shall *implement mechanisms providing early information to* the public authorities at the relevant level, in particular at local level, *involving* them *as far as possible* in the preparation of the restructuring process.**

Or. es

**Amendment 265**

**Sergio Gutiérrez Prieto**

**Proposal for a recommendation  
Recommendation 7, paragraph 3**

*Proposal for a recommendation*

3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, and involve them in the **preparation** of the restructuring process.

*Amendment*

3. Companies shall from the beginning inform the public authorities at the relevant level **in due time**, in particular at local level, and involve them in the **implementation** of the restructuring process.

Or. en

**Amendment 266**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 7, paragraph 3**

*Proposal for a recommendation*

3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, and involve them in the preparation of the restructuring process.

*Amendment*

3. Companies shall from the beginning inform the public authorities **and trade unions** at the relevant level, in particular at local level, and involve them in the preparation of the restructuring process.

Or. en

**Amendment 267**

**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 3**

*Proposal for a recommendation*

3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, and involve them in the preparation of the restructuring process.

*Amendment*

3. Companies shall from the beginning inform the public authorities at the relevant level, in particular at local level, **before practical restructuring measures are taken** and involve them in the preparation of the restructuring process.

**Amendment 268**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 3 a (new)**

*Proposal for a recommendation*

*Amendment*

***3a. The Member States shall adopt rules granting workers' representatives:***

***(a) a right to be alerted, so that they can request explanations from the employer when they are notified of events likely to have a serious impact on the economic situation of the company. The request for explanations shall be included automatically on the agenda of the next Works Council meeting. If the employer does not reply to the request, or confirms that the situation is indeed serious, workers' representatives shall draw up a report on this basis which shall be sent to the employer and to the national auditing authorities.***

***(b) a right to an expert opinion, so that they can call on an expert, at the employer's expense, on the occasion of any major project concerning the company's strategy and economic situation. Where there is disagreement on the need for an expert, the matter shall be decided by the national labour courts as soon as possible. The expert may in particular be an accountant when it is a matter of examining the company's annual accounts, of restructuring operations or of the exercise of the right to be alerted. In such cases the expert shall have the right of access to the same company documents as the national auditing authorities.***

Or. fr

**Amendment 269**  
**Thomas Mann**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4**

*Proposal for a recommendation*

*Amendment*

***4. The local economic actors, in particular companies and their employees in a situation of dependence in relation to the restructuring company shall also be informed from the beginning and actively involved in the process.***

***deleted***

Or. de

**Amendment 270**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4**

*Proposal for a recommendation*

*Amendment*

***4. The local economic actors, in particular companies and their employees in a situation of dependence in relation to the restructuring company shall also be informed from the beginning and actively involved in the process.***

***deleted***

Or. en

**Amendment 271**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4**

*Proposal for a recommendation*

*Amendment*

**4. The local economic actors, in particular**

**4. The local economic actors, in particular**

companies and their employees in a situation of dependence in relation to the restructuring company **shall** also be informed from the beginning **and actively involved in** the process.

companies and their employees in a situation of dependence in relation to the restructuring company **may** also be informed from the beginning **on** the **restructuring** process.

Or. es

**Amendment 272**  
**Sergio Gutiérrez Prieto**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4**

*Proposal for a recommendation*

4. The local economic actors, in particular companies and their employees **being** in a situation of dependence **towards** the restructuring company **shall be informed from the beginning and** shall also be informed and involved in the process.

*Amendment*

4. The local economic actors, in particular companies and their employees in a situation of dependence **in relation to** the restructuring company shall also be informed **as soon as possible** and involved in the process **according to needs and possibilities**.

Or. en

**Amendment 273**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4 a (new)**

*Proposal for a recommendation*

**4a. This provision shall not apply if comparable rules on the information and consultation of employees' representatives are in force at national level.**

*Amendment*

Or. de

**Amendment 274**  
**Frédéric Daerden, Pervenche Berès**

**Proposal for a recommendation**  
**Recommendation 7, paragraph 4 a (new)**

*Proposal for a recommendation*

*Amendment*

***4a. All measures seeking to involve employees (e.g. share ownership in the company) contribute to the successful development of the company. Employee shareholding significantly enhances the company's performance. At times of crisis in the company, it fosters among employees a sense of responsibility for and concern with the development and long-term prospects of their company. This sense of responsibility and increased concern has major implications for employees' involvement in the company and their empowerment, and thus helps boost the competitiveness of the company.***

Or. fr

**Amendment 275**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 8, Title**

*Proposal for a recommendation*

*Amendment*

***Minimising internal social costs through a social plan***

***Considering alternatives***

Or. en

**Amendment 276**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 1**

*Proposal for a recommendation*

*Amendment*

1. When the *need to restructure occurs as a result of the need to preserve their competitiveness and long-term prosperity*, companies shall consider redundancies only as last resort and only after considering all possible alternative options and identifying and, where available, implementing supporting measures.

1. When the *management of a company or group of companies has decided to carry out a restructuring operation*, all possible alternative options shall be considered and given priority in order to avoid redundancies or ensure that they are considered only as a last resort.

Or. de

**Amendment 277**

**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation  
Recommendation 8, paragraph 1**

*Proposal for a recommendation*

*Amendment*

1. When the need to restructure occurs *as a result of the need to preserve their competitiveness and long-term prosperity*, companies *shall* consider redundancies only as last resort and only after *considering* all possible alternative options and identifying and, where available, implementing supporting measures.

1. When the need to restructure occurs companies *should* consider redundancies only as last resort and only after *examining* all *other alternatives*.

Or. en

**Amendment 278**

**Jutta Steinruck**

**Proposal for a recommendation  
Recommendation 8, paragraph 1**

*Proposal for a recommendation*

*Amendment*

1. When *the need to restructure* occurs *as*

1. When *restructuring* occurs *and while*

*a result of the need* to preserve their competitiveness and long-term prosperity, **companies shall consider** redundancies only as last resort and only after **considering** all possible alternative options and identifying and, **where available**, implementing supporting measures.

*always seeking* to preserve their competitiveness and long-term prosperity, **employers envisage** redundancies only as last resort and only after **having considered** all possible alternative options and/or identifying and implementing supporting measures.

Or. en

**Amendment 279**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 1**

*Proposal for a recommendation*

1. When the need to restructure **occurs** as a result of the need to preserve their competitiveness and long-term prosperity, companies shall consider redundancies only as last resort and only after considering all possible alternative options and identifying and, where available, implementing supporting measures.

*Amendment*

1. When the need to restructure **is seen, on the basis of objective criteria, to exist** as a result of the need to preserve their competitiveness and long-term prosperity, companies shall consider redundancies only as last resort and only after considering all possible alternative options and identifying and, where available, implementing supporting measures.

Or. fr

**Amendment 280**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2**

*Proposal for a recommendation*

2. In particular, companies shall consider **the following** options as alternatives for redundancies:

*Amendment*

2. In particular, companies shall consider **all relevant** options as alternatives **and engage into a dialogue with internal and external stakeholders to try and associate them to the solution** for redundancies:



**Amendment 281**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2**

*Proposal for a recommendation*

2. In particular, companies **shall** consider the following options as alternatives for redundancies:

*Amendment*

2. In particular, **good practice suggests that** companies **should** consider the following options as alternatives for redundancies:

**Amendment 282**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2**

*Proposal for a recommendation*

2. In particular, companies shall consider the following options as alternatives for redundancies:

*Amendment*

2. In particular, companies shall consider the following options as alternatives for redundancies, **for example**:

**Amendment 283**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2, point c**

*Proposal for a recommendation*

(c) working-time reduction or re-organisation;

*Amendment*

(c) **temporary or long-term** working-time reduction or re-organisation;

Or. de

**Amendment 284**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2, point d**

*Proposal for a recommendation*

*Amendment*

**(d) re-negotiation of working conditions;      *deleted***

Or. de

**Amendment 285**  
**Marije Cornelissen**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2, point d**

*Proposal for a recommendation*

*Amendment*

**(d) re-negotiation of working conditions;      *deleted***

Or. en

**Amendment 286**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 2, point d**

*Proposal for a recommendation*

*Amendment*

**(d) re-negotiation of working conditions;      *deleted***

Or. fr

**Amendment 287**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation  
Recommendation 8, paragraph 2, point e**

*Proposal for a recommendation*

(e) internal or external *redeployment*;

*Amendment*

(e) internal or external *reclassification within the group of companies or other companies not belonging to the group*;

Or. fr

**Amendment 288  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 8, paragraph 2, point f**

*Proposal for a recommendation*

(f) in-sourcing of external activities;

*Amendment*

(f) in-sourcing of external activities *and compensatory measures for dependent companies that are affected*;

Or. fr

**Amendment 289  
Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 8, paragraph 2, point h**

*Proposal for a recommendation*

(h) natural departures

*Amendment*

(h) natural departures, *in particular via retirement or, as a last resort, early retirement*.

Or. fr

**Amendment 290  
Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**

*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall ***seek to*** make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible. ***The effectiveness and efficiency of public employment services are fundamental in this connection.***

Or. es

**Amendment 291**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**

*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies ***shall*** make available to the employees concerned ***measures that aim to*** enhance their employability and help them to re-enter the labour market as quickly as possible.

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies ***should*** make available to the employees concerned ***such assistance as is appropriate in the circumstances*** to enhance their employability and help them to re-enter the labour market as quickly as possible.

Or. en

**Amendment 292**  
**Elisabeth Morin-Chartier**

**Proposal for a recommendation**

### Recommendation 8, paragraph 3

#### *Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

#### *Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies, ***with the assistance of local authorities and public/private employment services***, shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible. ***Particular attention shall be given by the public authorities to the quality of the social plan and in particular to training measures, assistance for voluntary departure and measures for women and older employees. Severance payments made by the company which have the nature of damages to compensate for the injury suffered by the employee shall be dealt with specifically in each Member State's legislation. The amount of such payments shall be greater than that provided for in the case of individual dismissal. Furthermore, the sums paid shall be exempt from social contributions and tax.***

Or. xm

### Amendment 293

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

### Proposal for a recommendation Recommendation 8, paragraph 3

#### *Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, ***companies*** shall make available to the employees concerned measures that

#### *Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, ***employers shall respect anti-discrimination legislation, particularly in***

aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

*the field of age discrimination, in selecting the employees targeted for redundancy and* shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

Or. en

#### **Amendment 294**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

#### **Proposal for a recommendation Recommendation 8, paragraph 3**

##### *Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market **as quickly as possible**.

##### *Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market **in a quick and sustainable way**.

Or. en

#### **Amendment 295**

**Marije Cornelissen**  
on behalf of the Greens/ALE Group

#### **Proposal for a recommendation Recommendation 8, paragraph 3**

##### *Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that

##### *Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that

aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

aim to enhance their employability, ***awarding reemployment rights for previously made redundant workers if times get better and the firm subsequently wants to hire again*** and helping them to re-enter the labour market as quickly as possible.

Or. en

**Amendment 296**  
**Olle Ludvigsson**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**

*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability, ***awarding reemployment rights for previously made redundant workers if times get better and the firm subsequently wants to hire again*** and helping them to re-enter the labour market as quickly as possible.

Or. en

**Amendment 297**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**

*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative

options, companies shall make available to the employees concerned measures *that aim to enhance* their employability and help them to re-enter the labour market as quickly as possible.

options, companies shall make available to the employees concerned measures *aimed at re-enforcing* their employability and *helping* them to re-enter the labour market as quickly as possible *without prejudice to employment protection obligations and obligation related to employment termination resulting from national law*.

Or. en

**Amendment 298**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**

*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible, *without prejudice to obligations under national law concerning employment protection and the termination of employment contracts, particularly by granting workers formerly dismissed rights of re-employment if the economic climate improves and the company wishes to start recruiting again*.

Or. fr

**Amendment 299**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3**



*Proposal for a recommendation*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible.

*Amendment*

3. When redundancies cannot be avoided or as part of the package to be implemented in the context of alternative options, companies shall make available to the employees concerned measures that aim to enhance their employability and help them to re-enter the labour market as quickly as possible. ***This rule shall be without prejudice to national rules on the protection of workers in general and workers made redundant in particular.***

Or. de

**Amendment 300**

**Marije Cornelissen**

on behalf of the Greens/ALE Group

**Proposal for a recommendation**

**Recommendation 8, paragraph 3 a (new)**

*Proposal for a recommendation*

***3a. Notwithstanding their obligations resulting from EU and national law and practices, companies shall envisage the following employability measures insofar as they prove to be necessary or useful for limiting the impact of the operation:***

- setting-up of an advice centre to provide information to employees threatened by redundancy or made redundant about the labour market, their rights and the conditions negotiated during the restructuring process;***
- creating redeployment and/or mobility cells;***
- training and re-training;***
- individualised professional guidance;***
- help in job-search, including paid time-***

*Amendment*

- off to search for jobs;*
- monitoring, surveillance and counselling aimed to avoid or minimise the negative impact of the restructuring process on both the physical and psycho-social for both redundant employees, if any, and those staying;*
  - supporting to the creation of own, businesses and co-operatives;*
  - fair compensation.*

Or. en

**Amendment 301**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 8, paragraph 3 a (new)**

*Proposal for a recommendation*

*Amendment*

*3a. In the event of immediate dismissal, the company shall take the necessary measures to ensure that the dismissed worker, and his or her colleagues, receive psycho-social assistance,*

Or. fr

**Amendment 302**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 9**

*Proposal for a recommendation*

*Amendment*

*9. The provisions of Recommendations 6 and 7 shall not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing, managing in a*

*deleted*

*socially responsible way and minimising internal social costs of restructuring operations.*

Or. en

**Amendment 303**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 9**

*Proposal for a recommendation*

9. The *provisions of Recommendations 6 and 7 shall not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing*, managing in a socially responsible way and minimising internal social costs of restructuring operations.

*Amendment*

9. The *agreements reached between* companies and *employees' representatives with a view to* managing in a socially responsible way and minimising internal social costs of restructuring operations *shall be respected*.

Or. es

**Amendment 304**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 9**

*Proposal for a recommendation*

9. The provisions of Recommendations 6 and 7 do not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing, managing in a socially responsible way and minimising internal social costs of restructuring operations.

*Amendment*

9. The provisions of Recommendations 6, 7 and **8** do not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing, managing in a socially responsible way and minimising internal social costs of restructuring operations.

**Amendment 305**  
**Thomas Händel**

**Proposal for a recommendation**  
**Recommendation 9**

*Proposal for a recommendation*

9. The provisions of Recommendations 6 and 7 shall not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing, managing in a socially responsible way and minimising internal social costs of restructuring operations.

*Amendment*

9. The provisions of Recommendations 6 and 7 shall not apply to companies and employees covered by an agreement concluded at the relevant level and with the relevant parties on the procedures and mechanism for preparing, managing in a socially responsible way and minimising internal social costs of restructuring operations, ***provided that the agreement sets out arrangements more favourable than those provided for in this Directive.***

**Amendment 306**  
**Jelko Kacin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 9 a (new)**

*Proposal for a recommendation*

***9a. Companies and their employees' representatives should, where appropriate, negotiate collective agreements to cover the issues arising from the proposed restructuring.***

*Amendment*

**Amendment 307**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 10 Title**

*Proposal for a recommendation*

Minimising external economic and social impacts

*Amendment*

Minimising external economic, social and **environmental** impacts

Or. en

**Amendment 308**

**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 1**

*Proposal for a recommendation*

1. When a restructuring operation **has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees at risk of being or to be made redundant, in order to encouraging economic and social re-conversion and to developing new economic activities generating jobs.**

*Amendment*

1. When a restructuring operation **is being contemplated the company should actively engage with its employees and their representatives, and with the public authorities where appropriate, to discuss ways of maximising the re-employment opportunities of those who may be made redundant.**

Or. en

**Amendment 309**

**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 1**

*Proposal for a recommendation*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees ***at risk of being or to be made redundant***, in order to *encouraging* economic and social re-conversion and *to developing* new economic activities generating jobs.

*Amendment*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees, in order to *encourage* economic and social re-conversion and *develop* new economic activities generating jobs.

Or. es

**Amendment 310**

**Marije Cornelissen, Karima Delli**  
on behalf of the Greens/ALE Group

**Proposal for a recommendation**  
**Recommendation 10, paragraph 1**

*Proposal for a recommendation*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees at risk of being or to be made redundant, in order to encouraging economic and social re-conversion and to developing new economic activities generating jobs.

*Amendment*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees at risk of being or to be made redundant, in order to encouraging economic, social and ***environmental*** re-conversion and to developing new ***sustainable*** economic activities generating ***quality jobs in an environmentally friendly way***.

Or. en

**Amendment 311**  
**Frédéric Daerden**

**Proposal for a recommendation  
Recommendation 10, paragraph 1**

*Proposal for a recommendation*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees at risk of being or to be made redundant, in order to encouraging economic and social re-conversion and to developing new economic activities generating jobs.

*Amendment*

1. When a restructuring operation has major local effects, companies shall seek to develop complementarities and synergies between their preparatory action and the actions of the all the other actors, with a view to maximising the re-employment opportunities of employees at risk of being or to be made redundant, in order to encouraging economic and social re-conversion and to developing new economic activities generating jobs, ***particularly by concluding agreements between companies in the same sector or geographical area permitting priority to be given in recruitment to employees dismissed by one of them in the course of a restructuring operation.***

Or. fr

**Amendment 312  
Alejandro Cercas**

**Proposal for a recommendation  
Recommendation 10, paragraph 1 a (new)**

*Proposal for a recommendation*

***1a. For the purpose of paragraph 1, companies inform the regional or local authorities and other relevant actors of the measures being prepared in accordance with recommendation 8. They shall participate and/or contribute to any task-force or network established at regional or sectoral level to minimise the impact of the operation.***

Or. en

**Amendment 313**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 1 b (new)**

*Proposal for a recommendation*

*Amendment*

***1b. Insofar as this proves to be necessary and in accordance with national or regional requirements, companies design and implement plans aimed at rehabilitating and/or reallocating industrial sites likely to be abandoned, as an environment measure, as a means to attract new activities and a way to absorb a proportion of the jobs to be lost.***

Or. en

**Amendment 314**  
**Jelko Kacin, Marian Harkin, Nadja Hirsch**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 2**

*Proposal for a recommendation*

*Amendment*

***2. The measures referred to in Recommendation 7 shall cover, as far as possible, the employees of companies that are dependent, in particular as a result of subcontracting or a supply contract.***

Dependent companies and their workers ***shall, in any event***, be informed of ***those measures*** insofar as such information is required or useful for their own adaptation and for the management of the restructuring process within those companies.

2. Dependent companies and their workers ***should***, be ***kept fully*** informed ***about the restructuring*** insofar as such information is required or useful for their own adaptation and for the management of the restructuring process within those companies.

Or. en



**Amendment 315**  
**Veronica Lope Fontagné**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 2**

*Proposal for a recommendation*

2. The measures referred to in Recommendation 7 **shall cover, as far as possible, the employees of companies that are dependent, in particular as a result of subcontracting or a supply contract.** Dependent companies and their workers shall, **in any event, be informed of those measures insofar as** such information is required or useful for their own adaptation and for the management of the restructuring process within those companies.

*Amendment*

2. The measures referred to in Recommendation 7 **may provide greater cover for** the employees of dependent **companies.** Dependent companies and their workers shall be informed **where** such information is required or useful for their own adaptation and for the management of the restructuring process within those companies.

Or. es

**Amendment 316**  
**Alejandro Cercas**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 2**

*Proposal for a recommendation*

2. The measures referred to in Recommendation 7 shall cover, as far as possible, the employees of companies that are dependent by reasons of subcontracting, supply contract and others. Dependent companies and their workers are, in any case, informed of those measures insofar as such information is required or useful for their own adaptation and for the management of the restructuring process within them.

*Amendment*

2. The measures referred to in Recommendation **8** shall cover, as far as possible, the employees of companies that are dependent by reasons of subcontracting, supply contract and others. Dependent companies and their workers are, in any case, informed of those measures insofar as such information is required or useful for their own adaptation and for the management of the restructuring process within them.

Or. en

**Amendment 317**  
**Frédéric Daerden, Pervenche Berès**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 2 a (new)**

*Proposal for a recommendation*

*Amendment*

***2a. Where the closure of a company is inevitable and in so far as its economic activity may become viable again, it is essential to consider all kinds of business transfer, including business transfers to employees in the form of a cooperative. It is necessary to save viable economic activities from closure and to make them more sustainable. Successful, sustainable business transfers save local jobs and skills, and maintain local prosperity, particularly throughout the upstream and downstream production chain and in local businesses whose jobs are also at risk when the company has to close.***

Or. fr

**Amendment 318**  
**Frédéric Daerden**

**Proposal for a recommendation**  
**Recommendation 10, paragraph 2 b (new)**

*Proposal for a recommendation*

*Amendment*

***2b. The Member States shall provide for an automatic mechanism for detecting restructuring operations that meet the conditions for granting financial support from the European Globalisation Adjustment Fund and shall submit to the Commission an application for each operation detected.***

Or. fr

