

Articulation meeting of the AXA EWC on 24 May 2018 in Paris

Participants: Hedi BEN SEDRINE, Patricia NUNEZ, Paul DE TORRES, Julie ROBINEAU, Michel FOURNIER, Eddy VANOVERSHELDE, Bernard BOSCH, Christophe VERCOURTERE, Sylvie SERALINE, Jacqueline GUELISS, Mathieu CROUET, Christophe CHOLLET, Sylvie DANGIN, Lionel HACHENBERG, Janusz STELART, Sylvaine HARDY, François BLANCHECOTTE, Mustapha GOUFFI

This was the last articulation meeting before the June plenary meeting in Madrid. The French delegates of the EWC came to exchange with the Secretary of the EWC, Hedi Ben Sedrine, about the latest developments concerning the EWC, and to discuss the work undertaken regarding the roadmap for the new term of office and to prepare for the plenary meeting that will take place next month.



After thanking the French delegates for their presence, the Secretary recalled the items on the agenda and began the meeting.

Roadmap

The roadmap of the Secretariat has clarified the roles and responsibilities of each of its members and presented each of the 8 commissions newly created at the beginning of this term of office, some of them being merely the formalisation of an existing structure, as explained by Patricia Nunez regarding the Treasury, Organisation, Communication and Training commissions. The implementation and life span of the commissions will last throughout the term of office.

Sylvie Seraline asked to be included in some commissions and thus participate in the work of the EWC. The Secretary took note of her request and confirmed that the expertise of the EWC delegates will be called upon in some commissions but also for the meetings of the Secretariat on specific topics.

Training of the EWC delegates:

The Training Commission, coordinated by Patricia Nunez, is responsible for preparing training the training intended for the EWC incumbents and their deputies during the term of office. The terms of the EWC agreement specify the Secretariat's obligation in this regard as well as the session to be organised by Management during the same term of office.

The next training session, lasting 3 half-days, will be prepared and organised next November, ahead of the plenary session.

Patricia Nunez has begun to draft a document containing all the elements setting the framework for this training. The topics covered by the training are being defined. One important item will be the training on the agreements and rules of procedure, whose full knowledge and understanding are essential for the EWC delegates.

Sylvie Seraline and François Blanchecotte thought that the knowledge of how trade union organisations are operating outside of France would be a good topic for this Training. The Secretary reminded them that while the majority of EWC delegates are indeed members of trade union organisations, the EWC as such is not a trade union forum and its role is to address transnational issues and be a forum for social dialogue to enable the delegates, among other concerns, to anticipate the transformation processes taking place. Michel Fournier also recalled that to meet this need specific training courses exist outside the EWC.

Patricia Nunez recalled that the purpose of one of the newly established commissions is to create a database listing the agreements and social legislation in the various countries that are within the scope of the EWC. The purpose is to be able to quickly compare and note the differences between countries on social themes and social progress. This database should make it possible to extract data that will be helpful for our work.

Internal rules of procedure of the EWC:

Hedi Ben Sedrine, explained the philosophy and methodology that had enabled the Secretariat to complete a draft version of the Rules of Procedure as foreseen by the 2009 EWC agreement.

The drafting of these rules had taken into account the different cultures of the members of the forum and at the Bureau meeting held in May had



resulted in a final draft version which had been submitted for legal validation, to check the full consistency of all the points covered by the 2009 EWC

agreement. The document will then be translated into English and the French and English versions will be sent to each EWC delegate for their information and any feedback to be addressed to the Secretary with possible comments.

Once annotated, the document will be submitted for a vote by the EWC incumbent members during the preparatory meeting in Madrid in June, so that everyone will take ownership of the Rules of Procedure and ensure that they are applied. The Secretary stressed the importance of this step so that everyone can be assured of the sovereignty of the forum.

Bernard Bosc noted that this imposed timetable will not guarantee sufficient time for discussions and for the correction of the points that could be problematic for his delegation. In this he was supported by François Blanchecotte who proposed postponing the vote until the preparatory session in November.

The Secretary pointed out that the topic had been communicated during the various articulation meetings in Europe and that the date had not raised any objections. Patricia Nunez confirmed that the members of the Secretariat, mandated by the vote of the EWC delegates last January, had approved the adoption of these Rules in June, to ensure that the forum would be able to function properly as soon as possible.

Furthermore, the document is one of the points planned for the training of the delegates prior to the preparatory meeting in Paris in November.

Designation in June of employee representatives to the Board of Directors of AXA

The Secretary of the EWC recalled the obligation to comply with new French legislation, which mandatorily requires the Board of the holding company AXA SA to welcome 2 representatives from the Group employees, themselves AXA employees, 1 resulting from a vote of the France Group Works Council and 1 being appointed by the company's European Works Council. The appointment proposed by the EWC Secretariat will as much as possible respect parity and geographical diversity, bearing in mind that the employee coming from the vote of the French Works Council will in all likelihood be French.

The vote for the principle of this designation will take place during the preparatory meeting and will be ratified during the plenary meeting. The name of the person proposed by the EWC Secretariat will be announced soon.

Bernard Bosc disputed the mode of designation of a candidate by the EWC Secretariat. He wanted the EWC delegations to propose candidates who would be submitted to the vote by the delegates during the preparatory meeting as had been the case for the French Works Council.

The Secretary explained that as defined by law the EWC forum does not abide by the same criteria as those of the French Works Council. Paul de Torres read paragraph III of article L225-27-1 of the French law which stipulates that 3 modes of designation may be used for the designation of the employee director by the Group works council and that if two directors are to be appointed, the first one is appointed by one of the 3 legal modes and the other by the European Works Council. Consequently, no specific appointment method is imposed.

The Secretariat will undertake all the necessary provisions to appoint an employee who will have all the necessary skills to enable him or her to

represent all European employees in the best possible way when dealing with the Management of the Group.

Impact from Brexit:

The British delegation, the second largest delegation in the EWC forum, is threatened in the short term with no longer being able to have a seat in the forum, because of the impacts of Brexit that will be taking the UK out of the European Economic Area and consequently depriving the British delegation of one of the main membership criteria as established by the EWC Agreement. The UK will be effectively leaving the EU on 29 March 2019.

At the Bureau meeting in Madrid in April, an oral request was officially put to Management by the UNI expert, Eddy Vanoverschelde, requesting adding a formula that would allow UK delegates to stay on in the EWC. Subsequently, the Secretary of the EWC had sent an e-mail asking the leaders of the 3 representative trade unions who had signed the EWC agreement to ask for negotiations to be initiated with Lionel Jullien, Head of Group Social Relations.

The Secretary of the EWC asked the national coordinators to give their opinion on this subject.

The CFDT's national coordinator for AXA, Bernard Bosc, confirmed that he could request this opening of negotiations for the signing of an amendment allowing the British delegates to stay on in the EWC, but that at the same he would ask that the 4 remaining positions on the Secretariat, after the Secretary and the 5 seats reserved for non-French trade unions, be allocated to 4 delegates from French trade unions according to their representativeness in France.

This was a sine qua non condition for committing to sign the request.

François Blanchecotte, the national coordinator of UDPA-UNSA, said that the EWC agreement had not been respected for the election in January 2018, including by the delegates of the United Kingdom. He therefore suggested that the four members of the Secretariat whose election he contested should resign and leave their seat for members coming from the French trade unions. On this condition alone would he agree to be involved in negotiating for keeping the British delegates with

the added possibility of including the Swiss delegates within the scope of the EWC.

Michel Fournier, the Deputy National Coordinator of the CFE CGC, said that the British delegates were fully legitimate and must remain within the EWC. It will be necessary to consider the legal aspects of this situation to check what can and what cannot be done, but in no way should the two subjects be linked.

Eddy Vanoverschelde, the UNI expert to the EWC, confirmed that he had asked Management to keep the British delegates in the EWC on behalf of all the affiliated unions and confirmed that to date he had not received any reply from Management. He also reiterated his support for the request made by the CFDT regarding the interpretation of the EWC agreement and calling into question the election of the last 4 members of the Secretariat.

Additionally, the UNI expert proposed creating a special negotiating group to conduct discussions for an amendment to the EWC agreement. This amendment could deal with the British case but also the case of Switzerland.

Paul de Torres explained that the European Directive 2009/38/EC and its transposition into French law in 2011 does indeed provide for a special negotiation group but only for the establishment of an EWC. Nothing is specified in these texts regarding possible amendments to an EWC agreement.

Questions to the Chairman

The Secretary of the EWC recalled that each delegation must address a prepared question that he will then consolidate with the others for passing on to the Chairman. Concerning the French delegation, the Secretary asked the delegates to agree among themselves for the question to be asked. Time will be given to each delegation to ask spontaneous questions during the Plenary.