



<https://verdi-bub.de/seminar/3633>

## Themenplan

# Agieren statt reagieren (auf Englisch)

## Act rather than react. Works Constitution Act: Social Affairs (WC 3)

Agreements on contents and ways of working

Exchange of experiences regarding the work situation

Overview of the legal provisions concerning co-determination in the Works Constitution Act (WCA)

Presentation of the boundaries of co-determination and definition and meaning of legal terms, e.g.

- ⚡ Precedence and proviso of collective agreements
- ⚡ Opening clauses and principle of favourability

The works council's right of initiative as a result of enforceable co-determination

Examples for executing co-determination in social matters according to Section 87 WCA (e.g. rules of operation of the establishment, provisions concerning working hours, technical (monitoring) devices, remuneration arrangements in the establishment)

Systematic approach to the co-determination procedures:

- ⚡ Execution and the works council's ways of enforcing co-determination
- ⚡ Information policy and cooperation with the employees

Works agreements as a result of co-determination:

- ⚡ Conclusion of works agreements (Section 77 WCA)
- ⚡ Form and contents of works agreements
- ⚡ Termination and after-effects of works agreements
- ⚡ Relationship of collective agreements and works agreements
- ⚡ Difference between enforceable and optional works agreements

Control agreements (definition, difference to works agreements)

The conciliation committee:

- ⚡ Legal provisions (Sections 76, 76a WCA)
- ⚡ The conciliation committee's tasks, convening and principles of procedures (Section 76 WCA)

Principles of resolution procedures at the labour court

The right to lodge complaints (Section 85 WCA)

The involvement of external experts (Section 80 Article 3 WCA)