

European Works Council

IBM European Works Council (EWC)
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THE NETHERLANDS

IBM European Works Council (EWC)
Tim Stevens | Chairman
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Madrid, SPAIN

April 2nd, 2014

Dear Mr. Stevens,

Neither last year's correspondence nor the latest Select Committee meeting in Frankfurt have brought any tangible formation - to say nothing of a development - regarding the proposed *joint monitoring group* or with respect to the spreading of basic information as to the EWC's existence and membership throughout the IBM undertakings within the new EU member states where no employee representatives have been designated or elected yet.

As already announced to you in Frankfurt, the EWC membership is therefore about to induce its decision to file a legal action in order to reach a judgment by the labour court of Stuttgart, Germany (as first instance). Such judgment mainly shall clarify IBM's responsibility for creating the conditions and means necessary not only for setting-up an EWC, but also for spreading the basic information as to the IBM EWC's institutional existence, and for giving a general hint at the national laws and practices that may provide rules regarding electing or designating employee representatives or - at least - to clarify the IBM EWC itself being competent to spread that respective information, for example by mass-email (requiring all specific email-addresses) and to empower the IBM EWC to spread that information accordingly.

The EWC regrets that after a decade of patience, kind requests and constructive attempts, there is still no apparent positive development. Therefore no alternative remains than to seek for a judicial verdict on which the EWC membership will officially vote at its May 2014 meeting.

By this letter we intend to inform you in a fair and reasonable way and to allow IBM the opportunity to make representations. Any response will be considered while preparing the next EWC meeting that will be held in May in Brussels.

Kind regards on behalf of the European Works Council,



Marc Born

EWC Secretary