

CROSS-BORDER CORPORATE
RESTRUCTURINGS AND
PROTECTION OF EMPLOYEES

*HINTS OF ECONOMIC
DEMOCRACY IN EU COMPANY
LAW.*

Employee Financial Participation, Corporate Governance and Social Dialogue

Matrix of labour involvement in corporate governance

	1) Internal processes	2) External processes
A) Administrators/ Managers	Consensus building <ul style="list-style-type: none"> • Information and consultation rights • Participation • Representatives in company boards 	Managing conflict <ul style="list-style-type: none"> • Collective bargaining • Flexible salaries • Flexibility • CSR and collective bargaining
B) Ownership/ Shareholders	Sharing wealth and better governance <ul style="list-style-type: none"> - EFP • Company based saving schemes • Representatives in company boards 	Trade unions and new capitalists <ul style="list-style-type: none"> • Pension funds • Saving schemes • CSR and investors

Employee engagement in **cross-border corporate** restructurings according to the EU law

rights Cross border event	Employee engagement	Employee participation protection	Acquired rights
Takeover bids	Yes	no	no
SE	No	Yes	Individual working contracts
Mergers	Yes	Yes	Individual working contracts
Transfer of the registered office	No, but XIV proposal of Directive yes	No, but proposal of XIV directive yes	No
Disclosure	In specific corporate decisions	-	-