



4TH STUDY COMMISSION OF THE IAJ
Questionnaire for the year 1998

Subject: "A Comparison of the law and practical working in each member State of the relationship or conflict between work establishment, trade unions and employers."

- I.a) Does there exist a fundamental right for freedom of associations (trade unions)?
b) Organisation of the trade unions (whole country, certain districts, branches of industries)?
c) Which means and protections have they got and which restrictions exist?
- II.a) Organisation of workers representation - works council (level of a single undertaking or a whole enterprise; election; period)?
b) Is the works council a part of trade union or is it organised separately?
c) Does the works council represent all workers of the undertaking (enterprise)?
d) Which are the main competences of a works council?
e) Is the works council entitled to conclude works agreements (which items?) and which effect do they have on
1. the working contract and
2. tariff agreements of the trade unions?
- III.a) Contracting partners of tariff agreements?
b) Which matters can be regulated in tariff agreements?
c) The working relationship of which employees and employers are ruled by a certain tariff agreement?
d) What are the effects of these tariff agreements?
1. Are these standards binding for some or all employers?
2. Are these standards only binding if the working contract refers to them?
3. Are these standards only minimum standards?
- IV. What limitations are put on the trade unions?
Do trade unions have a duty to employers?
- V. When conflicts arise, how are they resolved (procedure, competence)?

Associations are reminded to propose a subject for next year.

Reports are to be sent to the President of the 4th Study Commission before 1 July 1998.
Those arriving after that date will not be examined.

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