

**THE LAW ON EUROPEAN WORKS COUNCILS**  
**dated April 5, 2002**

**Section 1**

**General Provisions**

Art.1.1 The law defines rules governing the establishment and operations of the European Works Councils and procedures for informing and consulting employees in Community-scale undertakings and group of undertakings. The purpose of the law is to implement the employees' right to information and consultations. The law shall be without prejudice to the right to information and consultations under the existing regulations.

2. The law shall apply to:

- 1) Community-scale undertakings and groups of undertakings with central management situated in Poland;
- 2) Community-scale undertakings and groups of undertakings where the central management is not situated in a Member State and designated its representative agent situated in Poland;
- 3) Community-scale undertakings and groups of undertakings where central management is not situated in a Member State and has not designated its representative agent in a Member State, and an establishment being a part of such an undertaking or an undertaking being a part of such a group is situated in Poland and employs the greatest number of employees in a given undertaking or group of undertakings in any one Member State.

3. The central management's obligations and responsibilities under this law shall apply respectively to the central management's designated representative agent or the local management of the establishment or undertaking referred to in paragraph 2, items 2 and 3 above.

Art. 2. For the purposes of this law:

- 1) Undertaking means any natural person, legal person, and company with no legal personality established under the commercial law that undertakes, in a professional manner and on its own behalf, economic activity and/or manufacturing activity in agriculture with respect to crops growing, animal breeding, horticulture, forestry, and inland water fishing.
- 2) Group of undertakings means two or more undertakings owned by undertakings with organizational or capital connections where one is a controlling undertaking.

- 3) Community-scale undertaking means any undertaking owned by an undertaking employing at least 1 000 employees within the Member States and at least 150 employees in each of at least two Member States.
- 4) Community-scale group of undertakings means a group of undertakings with at least 1 000 employees within the Member States and at least 150 employees in each of at least two Member States.
- 5) Central management means a person or body managing a Community-scale undertaking or managing an undertaking owned by an undertaking controlling a Community-scale group of undertakings.
- 6) Consultation means the exchange of views and establishment of dialogue between employees' representatives and central management or any other appropriate level of management.
- 7) Member States mean member states of the European Union and the remaining states signatories of the Treaty on European Economic Area.
- 8) European Works Council means the council set up in accordance with Section 3 or established in accordance with Section 4 with the purpose to implement the employees' right to information and consultations.
- 9) Special negotiating body means the body established in accordance with Section 2 to negotiate with the central management and conclude an agreement regarding the setting up of the European Works Council or a procedure for informing and consulting employees.

Art. 3. 1. The thresholds for the size of the workforce referred to in art. 2, items 3 and 4, shall be based on the average number of employees employed during the past two years prior to filing a motion or initiating negotiations regarding the setting up of the European Works Council or a procedure for informing and consulting employees.

2. In order to identify the average number of employees, the total number of persons under employment including part-time shall be taken into account and a number of persons employed on a full time basis shall be calculated. In order to calculate the average number of employees during the past two years, average numbers of employees employed during the individual months shall be added and the sum divided by 24.

3. When the size of workforce reaches the thresholds referred to in art. 2 items 3 and 4, the central management shall promptly notify thereof the representatives of employees' interest according to the national legislation of a Member State and inform the employees according to the practice accepted in a given establishment.

Art. 4.1 Controlling undertaking means an undertaking which can exercise, in a direct or indirect manner, a dominant influence over another undertaking especially by virtue of

ownership, financial participation or the legal regulations or agreements that establish organizational connections between undertakings.

2. The undertaking shall be presumed to exercise a dominant influence over another undertaking (controlled undertaking) when the controlling undertaking holds:

- 1) at least 50% of shares of the controlled undertaking; or
- 2) majority of the votes at the (general) meeting of shareholders of the controlled undertaking; or
- 3) the right to appoint or dismiss more than half of the members of the controlled undertaking's management or supervisory body.

3. The undertaking shall be deemed controlled by the controlling undertaking where that undertaking is controlled by another undertaking controlled by the controlling undertaking (indirect control).

4. Where more than one undertaking exercise a dominant influence over another undertaking, the undertaking that may appoint more than half of the members of the management or supervisory body of the controlled undertaking shall be presumed the controlling undertaking.

Art. 5. 1. The central management shall ensure conditions and means necessary for the establishment or setting up of the European Works Council or a procedure for informing and consulting employees.

2. The central management shall file a copy of the agreement regarding the setting up of the European Works Council or a procedure for informing and consulting employees or a notification of the establishment of the European Works Council with an appropriate minister.

## **Section 2**

### **Special Negotiating Body**

Art. 6.1 The special negotiating body shall have the task of concluding, with the central management, an agreement regarding the setting up of the European Works Council or a procedure for informing and consulting employees.

2. Negotiations of the agreement referred to in paragraph 1, shall be initiated by the central management acting on its own initiative or at the written request of at least 100 employees or their representatives employed in at least two undertakings or establishments in at least two different Member States.

Art. 7. 1. The special negotiating body shall have a minimum of three members and not more than the number of the Member States.

2. At least one member shall be appointed or elected to the special negotiating body from each Member State on the territory of which the Community-scale undertaking or group of undertakings operates.

3. From the Member States where the Community-scale undertaking or group of undertakings employs at least:

- 1) 25% of the entire workforce employed in the Community-scale undertaking or group of undertakings within the Member States, one supplementary member shall be appointed or elected;
- 2) 50% of the entire workforce employed in the Community-scale undertaking or group of undertakings within the Member States, two supplementary members shall be appointed or elected;
- 3) 75% of the entire workforce employed in the Community-scale undertaking or group of undertakings within the Member States, three supplementary members shall be appointed or elected.

Art. 8.1. Where employees are employed in Poland, in one establishment being a part of the Community-scale undertaking or group of undertakings, members of the special negotiating body representing Polish employees shall be appointed by a representative local trade union organization and in the absence of any such trade union organization, shall be elected by the employees. The number of such members shall be identified herein or in the legislation of another Member State.

2. The local trade union organization shall be presumed representative when it meets conditions specified in art.241<sup>25a</sup> §1 of the Labour Code. Provisions of art.241<sup>25a</sup> § 3-5 of the Labour Code shall apply accordingly.

3. Where there are more than one representative trade union organizations at the establishment, such organizations shall jointly appoint members of the special negotiating body. Should the representative trade union organizations fail to reach an agreement, employees shall elect members of the special negotiating body from the number of candidates proposed by such organizations.

4. The central management shall organize elections of members of the special negotiating body by employees, notifying the employees of the election date and procedures according to the practice accepted in a given establishment. The employees should be notified thereof no later than 14 days prior to the election date.

5. The central management shall notify of the elections, within the time limits referred to in paragraph 4, trade union organizations deemed representative under the Law on the Tripartite Committee on Social and Economic Affairs and Regional Committees for

Social Dialogue, dated July 6, 2001 (Journals of Law: No. 100, Item 1080 and No. 154, Items 1793 and 1800 and Journal of Law No. 10, Item 89 of 2002).

6. The organizations referred to in paragraph 5, shall have the right to delegate their representatives to participate in activities related to the elections.

7. Elections shall be direct and by secret ballot.

8. Elections shall be deemed valid when at least 50% of employees participated.

9. Where less than 50% of employees participated in the elections, subsequent elections shall be held after 3 months and shall be valid irrespective of a number of participating employees.

10. The special negotiating body shall be composed of candidates who subsequently obtained the largest numbers of votes.

Art. 9.1. Where the employees are employed in Poland, in more than one establishment being a part of the Community-scale undertaking or group of undertakings, three representatives shall be appointed or elected from each establishment in accordance with art.8 in order to identify the members of the special negotiating body.

2. From the establishment, which employs at least:

- 1) 25% of the entire workforce of the Community-scale undertaking or group of undertakings employed in Poland, one supplementary representative shall be appointed or elected;
- 2) 50% of the entire workforce of the Community-scale undertaking or group of undertakings employed in Poland, two supplementary representatives shall be appointed or elected;
- 3) 75% of the entire workforce of the Community-scale undertaking or group of undertakings employed in Poland, three supplementary representatives shall be appointed or elected.

3. Management of individual establishments shall be responsible for organizing elections of representatives and provisions of art.8 paragraphs 3-10 shall apply accordingly. The local management shall promptly notify the central management of the elections of representatives.

4. The central management shall organize the meeting of representatives within 14 days from the date of the notification of their appointment or election.

5. Representatives of individual establishments shall elect from their number members of the special negotiating body. The number of such members is specified in art.7 paragraphs 2 and 3 herein.

Art.10. Provisions of articles 8 and 9 shall be applied where representatives of employees employed in Poland are identified to become a part of the special negotiating body or European Works Council. Their number is laid down in the legislation of a Member State within the territory of which the central management of the Community-scale undertaking or group of undertakings is situated.

Art. 11.1. Where members of the special negotiating body are appointed or elected, three stand-by members shall be simultaneously appointed or elected.

2. Should a mandate of a member of the special negotiating body expire, a stand-by member, who obtained the largest number of votes, shall become a part of the special negotiating body.

Art. 12. The mandate of the member of the special negotiating body expires upon termination or expiry of his employment, his absence at work for the period longer than three months, or his resignation from the function.

Art. 13. Representative trade union organizations shall promptly notify the central management of the appointed members of the special negotiating body. The central management shall transmit such information to the appropriate management of the undertakings and establishments and their employees.

Art.14.1. The central management shall convene, within the period of 30 days from the day when the composition of the special negotiating body is established, a meeting with the special negotiating body in order to conclude an agreement regarding the setting up of the European Works Council or a procedure for informing and consulting employees. The central management shall inform the appropriate management of undertakings and establishments of the meeting.

2. The members of the special negotiating body shall elect its Chairman from their number and adopt the internal rules of procedure.

3. The special negotiating body shall have the right to convene and hold a meeting prior to opening any negotiations with the central management.

4. While carrying out its tasks the special negotiating body may be assisted by the experts of its choice.

Art. 15.1 Any expenses relating to the establishment and operation of the special negotiating body shall be borne by the central management.

2. The central management shall provide premises, material resources, interpreters, and office staff and shall meet the necessary expenses related to travel, board and accommodation of the members of the special negotiating body.

3. Where the special negotiating body is assisted by experts the central management shall be responsible for the funding to cover one expert only unless the central management and the special negotiating body decide otherwise.

Art.16.1 Notwithstanding paragraph 2 below, the special negotiating body shall adopt resolutions by the ordinary majority of votes. Where there is an equal number of votes the casting vote shall be with the members representing a Member State within the territory of which the largest workforce is employed.

2. The special negotiating body may decide, by virtue of a resolution adopted with the majority of two-thirds of the votes, not to open negotiations or to terminate the negotiations already open without concluding an agreement. The special negotiating body shall promptly notify the central management of the content of such a resolution. Where such a resolution is adopted provisions of Section 4 shall not apply.

3. A new request to convene a special negotiating body may be made at the earliest two years after the resolution referred to in paragraph 2 above, unless the central management and special negotiating body determine a shorter period.

### **Section 3**

#### **The agreement regarding the setting up of the European Works Council or a procedure for informing and consulting employees**

Art. 17.1. The central management and the special negotiating body shall negotiate in a spirit of cooperation with a view to conclude an agreement on the setting up of the European Works Council or a procedure for informing and consulting employees.

2. The central management shall provide, early enough, the special negotiating body with data and materials necessary for carrying out its tasks.

Art. 18.1. The central management and special negotiating body may decide, in writing to establish one or more employee information and consultation procedures instead of the European Works Council. The agreement shall stipulate by what method the employees' representatives shall have the right to meet to discuss the information conveyed to them.

2. The agreement referred to in paragraph 1, shall apply to the entire workforce employed in the Community-scale undertaking or group of undertakings.

Art. 19.1 Where the central management and special negotiating body agree to set up the European Works Council, the agreement shall determine:

- 1) the undertakings and establishments of the Community-scale undertaking or group of undertakings which are covered by the agreement, including those situated outside the territory of the Member States if covered by the agreement;

- 2) the composition of the European Works Council, the number of members, the allocation of seats and the term of office;
- 3) the powers and the procedure for information and consultation of the European Works Council;
- 4) the venue, frequency, and duration of meetings of the European Works Council;
- 5) the financial and material resources allocated to the European Works Council;
- 6) the duration of the agreement and the procedure for its renegotiation.

2. Provisions of Section 4 herein, shall not apply to the content of the agreement on setting up the European Works Council and agreement on information and consultation procedure unless the central management and special negotiating body decide otherwise.

## **Section 4**

### **Establishment of the European Works Council**

Art. 20. Provisions of this Section shall apply:

- 1) where the central management and special negotiating body so decide; or
- 2) where the central management fails to commence negotiations within 6 months of the request filed by the employees referred to in art.6 paragraph 2; or
- 3) where, after three years from the date of the central management's initiative or request filed by employees in accordance with art.6 par.2, the agreement on setting up the European Works Council or a procedure for informing and consulting employees is not concluded.

Art. 21.1. The European Works Council shall be composed of the representatives of workforce employed in the Community-scale undertaking or group of undertakings within the territory of the Member States.

2. The European Works Council shall have a minimum of three members and a maximum of 30.

Art.22.1. At least one member shall be appointed or elected to the European Works Council from each Member State on the territory of which the Community-scale undertaking or group of undertakings operates.

3. From Member States where the Community-scale undertaking or group of undertakings employs at least:

- 1) 20% of the entire workforce, one supplementary employee shall be appointed or elected;
- 2) 30% of the entire workforce, two supplementary employees shall be appointed or elected;
- 3) 40% of the entire workforce, three supplementary employees shall be appointed or elected;



- 4) 50% of the entire workforce, four supplementary employees shall be appointed or elected;
- 5) 60% of the entire workforce, five supplementary employees shall be appointed or elected;
- 6) 70% of the entire workforce, six supplementary employees shall be appointed or elected;
- 7) 80% of the entire workforce, seven supplementary employees shall be appointed or elected;
- 8) 90% of the entire workforce, eight supplementary employees shall be appointed or elected.

3. The central management shall verify every two years whether a number of employees changed and the number of members from a given state must be adjusted accordingly to meet the requirements specified in paragraphs 1 and 2. Where such a change is established the central management shall organize elections as prescribed by law or shall request the eligible bodies to appoint members. On the date of the appointment or election of the new members mandates of the members of the European Works Council from the Member State to which the change applies, shall expire.

4. The provision of paragraph 3 shall apply accordingly to a change to the composition of the European Works Council made to include the representatives of a new member state or a state covered by the agreement in accordance with art. 19 paragraph 1 item 1, on the territory of which the Community-scale undertaking or group of undertakings operates.

Art. 23.1 Members of the European Works Council representing workforce employed in Poland, and the number of such members is specified herein or in the legislation of another Member State, shall be appointed or elected in accordance with articles 8 or 9. Any measures necessary to appoint or elect members of the European Works Council shall be taken within the period of three months from the date of the decision referred to in art.20 item 1 or from the day on which periods referred to in art.20 items 2 and 3, expire.

2. The term of office of members of the European Works Council shall be four years.

3. Membership in the European Works Council expires as prescribed in art.12 and art.22 par.3.

Art. 24. The representative trade union organizations shall promptly inform the central management of the appointed members of the European Works Council. The central management shall transmit such information to the appropriate management of undertakings and establishments, and their employees.

Art. 25.1. As soon as the composition of the European Works Council is determined the central management shall promptly convene an organizational meeting where the European Works Council shall be established. At the meeting, the members of the

European Works Council shall elect the Chairman from their number and adopt the internal rules of procedure.

2. Where the European Works Council comprises more than ten members, the Presidium shall be appointed from their number. The Presidium shall be responsible for tending to day-to-day matters.

3. The Presidium shall be composed of the Chairman and two elected members. Members of the Presidium should be employed in different Member States and where the Community-scale undertaking or group of undertakings operates in two Member States, the Chairman of the Presidium should be employed in a different Member State than the members.

Art. 26. Where the European Works Council comprises no more than ten members the Chairman or another member of the European Works Council may be entrusted with tending to the day-to-day matters.

Art. 27. The European Works Council shall adopt resolutions by ordinary majority of votes of the attending members, except as provided by art.16 par.2 where the European Works Council has the rights and responsibilities of the special negotiating body in accordance with art. 35 par.2.

Art. 28.1. The European Works Council shall have the right to be informed and consulted on the matters, which concern the Community-scale undertaking or group of undertakings as a whole or at least two of its establishments or undertakings situated in different Member States.

2. Where the central management of the Community-scale undertaking or group of undertakings is not situated in any Member State, the European Works Council shall have the right to be informed and consulted on the matters which concern all the establishments or undertakings situated within Member States or at least two of its establishments or undertakings situated in different Member States.

Art. 29.1. The central management shall organize at least once a year a meeting with the European Works Council to inform it on the business of the Community-scale undertaking or group of undertakings and its development prospects, and to consult it on the information presented.

2. For the purpose of the meeting, the central management shall draw up a report on the business of the Community-scale undertaking or group of undertakings and its development prospects.

3. The information and consultation shall relate in particular to:

- 1) the structure of the Community-scale undertaking or group of undertakings;

- 2) economic and financial situation and probable development of business, including production, sales, and investments;
- 3) employment situation and the likely development in this area;
- 4) introduction of substantial changes concerning organization;
- 5) introduction of new working methods and production processes;
- 6) relocations of an undertaking or establishment or any substantial part thereof, and transfers of production to another establishment or undertaking;
- 7) mergers and divestments of undertakings or establishments;
- 8) cut-backs or closures of undertakings or establishments or any substantial part thereof;
- 9) collective redundancies.

4. The central management shall notify of the date of the meeting the local management of undertakings and establishments and members of the European Works Council at least 14 days prior to the date of the meeting.

Art. 30. 1 Where there are exceptional circumstances affecting the employees' interests to a considerable extent, particularly in the event of collective redundancies, relocation of the undertaking or establishment or a substantial part thereof, the closure of the undertaking or establishment or a substantial part thereof, the central management shall be responsible for informing the Presidium and where no Presidium exists, the European Works Council of such circumstances.

2. At the request of the Presidium and where no Presidium exists, at the request of the European Works Council, the central management or management of a different level identified by the requesting party and authorized to take its own decisions shall be obliged to meet with the Presidium or the European Works Council for the purpose of information or consultations on the measures having a considerable affect on the employees' interests. The central management or management of a different level shall prepare a report for the meeting.

3. Those members of the European Works Council who have been elected or appointed by the establishments and/or undertakings which are directly concerned by the measures in question shall have the right to participate in the meeting organized with the Presidium.

4. The meeting shall take place as soon as possible. The Presidium or European Works Council may deliver its opinion on the report referred to in paragraph 2 at the end of the meeting or within 14 days from the end of the meeting. The management of the appropriate level shall review the opinion before the decision concerned is made.

Art. 31. Before any meeting with the central management, the European Works Council or Presidium may meet without the management concerned being present. The members of the European Works Council referred to in art.30 par.3 may participate in the meeting of the Presidium.

Art. 32. The members of the European Works Council shall inform the representatives of the employees of the Community-scale undertakings or groups of undertakings or, in the absence of representatives, the workforce as a whole, of the content and outcome of the information and consultation procedure carried out in accordance with the provisions of this Section.

Art. 33. The European Works Council or Presidium may be assisted by experts of its choice, in so far as this is necessary for them to carry out their tasks.

Art. 34.1. The operating expenses of the European Works Council, and in particular the costs of organizing meetings, board and accommodation, travel expenses of members, costs of interpretation and necessary training, shall be borne by the central management, unless the central management and European Works Council decide otherwise.

2. The central management shall determine, in agreement with the European Works Council, an annual budget of the Council. Where the budget is not agreed by the end of the calendar year preceding a given budget year, the central management shall determine it themselves, however the central management should allocate to the operations of the Council, at least an amount being a product of a number of the Council members and tripled average monthly remuneration from the previous quarter preceding a given calendar year as announced by the President of the Central Statistical Office in the Official Journal of the Polish Republic, i.e. "Monitor Polski".

Art. 35.1 Four years after the European Works Council is established it shall examine whether to open negotiations with the central management for the conclusion of the agreement referred to in Section 3 herein. The European Works Council shall express its position on the matter by virtue of a resolution.

2. Where the European Works Council adopts the resolution on the opening of negotiations it shall have the rights and responsibilities of the special negotiating body.

## **Section 5**

### **Non-disclosure of the confidential information of the undertaking**

Art. 36.1. Members of the special negotiating body, European Works Council, representatives of employees acting under the agreement concluded pursuant to art.18, and any experts and interpreters are not authorized to disclose any information considered a secret of the undertaking which has been provided to them as a result of the function they perform, and which the central management qualified as confidential. This obligation of non-disclosure shall continue to apply even after the expiry of their functions, unless the central management has otherwise determined the confidentiality period.

2. In specific justifiable cases, the central management may not be obliged to transmit information to the representatives of employees when the nature of information is such

that according to the objective criteria, its disclosure would seriously harm the functioning of the undertakings concerned or would be prejudicial to them.

3. Where it is determined that the confidentiality of information or non-disclosure of information is not in accordance with paragraphs 1 or 2, the special negotiating body, European Works Council, and representatives of employees acting under the agreement concluded pursuant to art.18, may apply to the District Commercial Court to lift the confidentiality obligation or to order access to information.

4. Provisions of the Code of Civil Proceedings regulating examination of cases covered by the regulations on state-owned undertakings and self-government of employees of the state-owned undertaking with art.691<sup>1</sup>§1 and art.691<sup>7</sup> excluded, shall apply to the cases referred to in par.3. For the purpose of such cases the capacity to be a party in civil cases shall be with the special negotiating body, European Works Council, representatives of employees acting under the agreement concluded pursuant to art.18, and the central management.

5. The court acting at the request of the central management or ex officio may decide to limit, to the extent necessary, the right of access to evidence produced by the central management and attached to the case file during the course of the court proceedings, where access to such materials would present a risk of disclosure of the undertaking's secrets or other secrets subject to protection under separate regulations. Complaints may not be lodged against the court decision to limit the right of access to the evidence.

6. Provisions of paragraphs 1-5 shall be without prejudice to other confidentiality regulations existing under the law.

## **Section 6**

### **Protection of employees' representatives**

Art. 37.1 The employer shall not terminate an employee who is a member of the special negotiating body or European Works Council during the term of his office and within one year upon its expiry without the consent of the local trade union organization representing the employee and where the employee is not represented by any local trade union organization, without the consent of the regional labour inspector appropriate for the location of the employer's office.

2. The employer shall not unilaterally change terms of employment and/or wages to the detriment of the employee who is a member of the special negotiating body or European Works Council during the term of his office and within one year after its expiry without the consent of the local trade union organization representing the employee and where the employee is not represented by any local trade union organization, without the consent of the regional labour inspector appropriate for the location of the employer's office.

3. A member of the special negotiating body or European Works Council shall have the right to be absent at work in connection with his participation in the above bodies and shall retain his right to wages calculated in accordance with the rules regulating absence at work of a member of the management of the local trade union organization.

4. Provisions of paragraphs 1-3 shall apply accordingly to representatives of employees acting in accordance with an agreement concluded under art.18.

## **Section 7**

### **Other existing agreements on informing and consulting employees**

Art.38.1 Provisions of this law shall not apply to the Community-scale undertakings and group of undertakings in which, prior to the effective date of this law, there is already an agreement regarding the transnational information and consultation of employees during the term of the agreement provided that such an agreement covers the entire workforce of the Community-scale undertaking or group of undertakings within the Member States. Prior to expiry of the agreement concluded for a fixed term, the parties may renew the agreement for another fixed term or recognize it as an open-end agreement.

2. An agreement as defined in paragraph 1 shall also be an agreement concluded outside the territory of the Member States when such an agreement meets all other requirements specified in that provision.

3. The provision of paragraph 1 shall apply where the Community-scale undertaking or group of undertakings covers a number of agreements, which jointly meet the requirements specified in that provision.

4. The central management shall transmit agreements referred to in paragraphs 1 and 3 to the minister appropriate for labour affairs.

## **Section 8**

### **Penal provisions**

Art. 39. Where any individual who is a member of the central management or management of a different level within the Community-scale undertaking or group of undertakings or a representative agent in a Member State referred to in art.1 par.2 item 2, or a person acting on his behalf:

- 1) estops the establishment or obstructs the functioning of the special negotiating body, European Works Council or a procedure for informing and consulting employees carried out according to the agreement concluded under art.18;

- 2) discriminates a member of the special negotiating body, European Works Council, or representative of employees acting in accordance with the agreement concluded under art.18, in connection with the function performed by such a member or representative

shall be subject to penalty of imprisonment or a fine.

Art.40. Any cases specified in art.39 shall be resolved on the basis of the Code of Proceedings in Petty Offences. The labour inspector shall act as a public prosecutor in such cases.

## **Section 9**

### **Amendments to existing regulations**

Art. 41. In the text of the Law on special rules for termination of employment for reasons concerning the establishment and on amendments to certain laws, dated December 28, 1989 (Journals of Laws of 1990: No.4, Item 19; No.10, Item 59; and No.51, Item 298; 1991: No.83, Item 372; No.106, Item457; No.113, Item 491; 1992: No.21, Item 84; 1994: No.1, Item 1; 1996: No.24, Item 110; and 2000: No.12, Item 136), the following text shall be added: “, special negotiating team or European Works Council” after the following words of the current wording of art.6 par.1: “management of the local trade union organization”.

## **Section 10**

### **Final Provisions**

Art. 42. This law comes into effect on the date when the Republic of Poland becomes a member of the European Union.

President of the Republic of Poland: *A. Kwaśniewski*