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ALSTOM European Works Forum AMENDMENT 2002

MANAGEMENT SIGNATURES

CHAIRMAN AND CHIEF EXECUTIVE OFFICER	Pierre BILGER	
SENIOR VICE PRESIDENT HUMAN RESOURCES	Kees KRUIT	

**ALSTOM European Works Forum AMENDMENT 2002 – DELEGATES' SIGNATURES**

COUNTRY	UNION	DELEGATE	SECTOR	
AUSTRIA	GMBE	Edmund HABERECKER	T & D Linz	
BELGIUM	FGTB/SETCA	Claude CHARON	TRANSPORT Charleroi	
	CSC/CCMB	Michel VANDEN BERGHE	TRANSPORT Charleroi	
CZECH REPUBLIC	ZO OS KOVO	Milos DOSTAL	POWER S.R.O	
FRANCE	CFDT	Jean SAULNIER	POWER Nantes	
	CFDT	Patrick MAILLOT	TRANSPORT Le Creusot	
	CFTC	Jean-Luc MOUSSET	TRANSPORT Belfort	
	FO	Lucien KUHN Replaces Léon Bole	TRANSPORT Reichshoffen	
	CFE-CGC	Jean-Yves HEMERY	T&D Macon	
	CGT	Francine BLANCHE	POWER Vélizy	
	CGT	Jean-Louis SAHKI	T&D Saint Ouen	
GERMANY	IG Metall	Siegfried RICHTER Replaces Bernd Eberle	TRANSPORT Salzgitter	
	IG Metall	Dietmar HABERL	T&D Mönchengladbach	
	IG Metall	Udo BELZ	POWER Mannheim	
	IG Metall	Albrecht KOTITSCHKE	POWER Stuttgart	
ITALY	CISL	Patrizio RIVA	POWER Italia	
	FIOM	Maria Grazia CAPELLO	ALSTOM Ferroviaria	
NETHERLANDS	WKS Council	Margriet CHAUDRON	ALSTOM Sales Network	
POLAND	NSZZ Solidarno	Jan FIODOROWICZ	POWER Z.O.O.	
PORTUGAL	STIMM Distrito de Lisboa	Manuel SEQUEIRA DA SILVA	ALSTOM Portugal	
ROMANIA		Geroge DINU	ALSTOM Power Romania	
SPAIN	CCOO	Emilio PENADO	TRANSPORT Barcelona	
	UGT	J. José LLEIXA UTRILLAS	TRANSPORT Barcelona	
SWEDEN		Rolf JONASSON	POWER Växjö	
		Peter FRANSSON	POWER Finspong	
TURKEY		Haluk BOZKAYA	T&D Gebze	
UK	MSF	Bob CHARLES	TRANSPORT Birmingham	
	MSF	Jim READ	POWER Rugby	
	AEEU	Mick HOLMES Replaces Tom Pritchard	T&D Stafford	
	AEEU	Albert NEESHAM	TRANSPORT Eastleigh	
	AEEU	Chris GRIMSHAW	POWER Lincoln	
SWITZERLAND	Exec Comm	Martin LEESER	POWER Baden	

**AMENDMENT Nr 1**  
**ALSTOM EUROPEAN FORUM**

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### **Introduction**

Under an agreement dated 30 May 1996 ALSTOM's management and the trade union organisations set up an information body for an exchange of views and open and constructive dialogue within the framework of the company's European activities. In effect, while it is normal and efficient for the social dialogue to take place at Unit level, the signatories deem it necessary to complement such dialogue by means of exchanges at international level.

This process will be called the "ALSTOM EUROPEAN FORUM", hereafter called "FORUM".

This agreement modifies the agreement of 30 May 1996 in the spirit of European directive 199/95 of 22/09/94 in support of this process.

### **1. Territorial field of application**

The agreement covers all ALSTOM staff employed in all the European countries in which the directives of the European Union are applicable, as well as the other European countries, where ALSTOM's presence is significant.

Companies in which ALSTOM holds more than half of the capital as well as companies in which ALSTOM may exert a dominant influence as defined in No. II of Article L 439-1 of the French Labour Law fall within the ambit of this agreement.

ALSTOM will regularly update the list of all the companies and establishments concerned appended to this agreement.

### **2. Purpose**

The FORUM is a process of information, exchanges of views, dialogue and consultation.

The FORUM handles important transnational matters pertaining to ALSTOM's general strategy, its economic, financial and commercial situation, as well as its human resources policy in particular regarding training and job promotion. It may also be informed on request about health and safety conditions at work, mobility, protection of the environment, professional training, continuing training throughout the career, equal opportunities.

This information mainly concerns:

- The Company's economic and financial structure and situation
- The Company's development and turnover
- The present situation and likely employment tendencies
- Investments
- Significant organisational changes
- The introduction of new working methods and processes
- Training
- Professional Risk Prevention Policy
- Projects and results of mergers, acquisitions, reductions and company closures

Matters defined by texts or custom which concern a given unit or a country fall within the exclusive competence of the managements and the local employees' representatives.

In the case of major decisions concerning the future of the Company or its sites, the FORUM is informed and consulted in due time, i.e. before the final decision. This information meeting takes place on the basis of a written report. A representative from the FORUM may go to the site in question to gather information on the operation concerned. These visits are subject to an agreement between the president and the secretary.

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### **3. Composition**

#### **3.1 Countries represented**

The FORUM is set up within the Company ALSTOM, in the countries listed in Appendix I. In order to be represented the countries must have at least 300 ALSTOM employees as defined in article 1 of the present agreement. The number of employees who are members of the FORUM will be fixed pro rata to the number of employees from each country represented, while endeavouring to ensure that each sector of the company is represented.

This last principle will be applied to the setting-up of the Select Committee as described in article 4.4 here-under.

#### **3.2 Number of representatives**

The FORUM comprises 35 full members, with a maximum of 6 coming from countries which do not belong to the European Union and 35 deputy members in order to replace the full members in case they cannot participate.

#### **3.3 Appointment of the members**

The members are appointed in accordance with national legislation or custom. For all countries, the employees' representatives must be ALSTOM employees and have at

least one year's length of service, unless the corresponding national legislation provides for a shorter period.

The management should be informed of the appointment of any new member of the FORUM, full or deputy. The appointment will only take effect following this formality.

### **3.4 Allocation of seats**

Appendix II sets out the criteria for initial allocation of seats of employees' representatives by country. It is understood that if the number of employees in Europe should change significantly, the distribution of seats would be reviewed.

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### **3.5 Period of the mandate**

The representatives' mandates are for a period of four years, after their appointment, or for a shorter period if the national law so provides. The mandate may be renewed. It ceases once the representatives are no longer employed by ALSTOM.

## **4. Operation**

### **4.1 Organisation**

The FORUM is chaired by the President of the ALSTOM Company or a person mandated by him/her.

The employee representatives of the FORUM appoint a secretary and a deputy secretary from among the representatives elected to form the Select Committee.

The headquarters of the FORUM are situated at the establishment to which the secretary belongs.

### **4.2 Meetings**

The FORUM holds two meetings a year, one of which is held within three months following publication of the annual accounts. The agenda and the place of the meeting are fixed by mutual consent between the chairman and the secretary.

An extraordinary meeting may be called exceptionally at the request of the management or the employees' representatives. This meeting will be held subject to the agreement of both parties.

The employees' representatives have the possibility of participating in a preparatory meeting the day before the FORUM, using the same technical and translation facilities as for the meeting of the FORUM.

At least one week before the consultation, save in the case of an emergency, the management sends to all employees' representatives a report on the items on the agenda to enable the members to express their point of view prior to any decision.

### **4.3 FORUM Secretary**

The minutes of the discussions in the preparatory as well as the FORUM meeting will be written and agreed upon by both the chairman and the secretary.

The minutes of the FORUM will be drafted in English and translated into the language of each country represented at the FORUM.

To ensure an effective dialogue simultaneous interpreting is provided into all languages required for an efficient FORUM meeting.

The documentation presented at the FORUM will be in English. Any documentation transmitted subsequently to the employees' representatives will be translated into four languages English, French, German and Spanish.

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#### **4.4 Select Committee**

A Select Committee made up of five employees' representatives is constituted, elected by all the employees' representatives present at the preparatory meeting according to the principle in article 3-2. This Select Committee is the representative of the FORUM between meetings and its role is:

- To meet one month before the FORUM in order to convey to the management the proposed agenda for the FORUM.
- To meet at least 4 times a year with the management in order to be informed and consulted about subjects as defined in point 2 and about current matters.
- To approve the minutes of the meetings established jointly by the management and the secretary, and to decide the conditions for their distribution.
- To transmit to the management any request for an extraordinary meeting
- To review each country's seat allocation and transmit to the management any proposals for change.
- To act on behalf of the FORUM outside the plenary meetings

#### **4.5 Expert**

An expert proposed by the employees' representatives and approved by the management may be invited to the meeting of the working committee in order to help the employees' representatives to prepare the meetings of the FORUM. He may attend the preparatory meeting and the FORUM as an observer.

The expert is remunerated by the management of ALSTOM after approval of his quotation.

In order to enable ALSTOM's employee representatives to form a well-founded opinion on the issues of which the FORUM members have previously been informed an expert evaluation can be asked for by the FORUM secretary.

#### **4.6 Training**

The members of the FORUM are entitled to attend the training course necessary for exercising their mandate. This applies to the following skills in particular: knowledge of foreign languages, basic knowledge of labour law and social policy in the member States of the European Union, as well as economics.

During the last meeting of the year the management and the Select Committee agree upon the training programme of the year to come.

The expenses related to these training courses are covered by the Company's management.

#### **4.7 Hours of delegation and expenses**

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The employees' representatives benefit from at least two days in which to attend the FORUM and the preparatory meeting, not including travel time.

The employees' representatives appointed in the Select Committee benefit from the time necessary to travel to the meeting within the time limit foreseen by the agenda.

The time spent in the meeting and for travel are considered as normal working time.

Travel time as well as travel and accommodation expenses will be compensated in accordance with the current practice of the unit in which they are employed.

The delegates will agree within their own countries the time allowances and means required for them to carry out their responsibilities effectively. In the case of a disagreement, the Forum President or his representatives, will arbitrate.

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## **5. Rights and obligations of the members**

### **5.1 Confidentiality**

The FORUM members will not disclose any information which has been expressly communicated to them as confidential. This obligation continues even after the expiry of their mandate. The management reserves the right not to communicate information the disclosure of which would harm the company's interests.

The obligation of confidentiality applies to the expert.

### **5.2 Protection**

The members of the FORUM must not be hindered in any way in the performance of their mandate. They must not be subject to any discrimination, whether positive or negative, in particular as regards their remuneration and the prospects of their professional development.

In performing their duties, the employees' representatives will continue to benefit from the protection and guarantees provided for personnel representatives by the national legislation of the country in which they are employed.

This agreement is signed for a period of 5 years. At the end of that period, it may be renewed by tacit agreement or terminated by one of the parties with 6 months' notice.

The undersigned agree that the future legal or regulatory provisions regarding the role and prerogatives of the European Works Forum Committees, will be included in the present agreement and the said parties will arrange the way they are to be included.

This agreement is governed by French law.

Done at

*Norköping*  
*26/6-'02*