

# ACCOR 8-10-2004



[translated from French]

*AMENDMENT NO 1 TO THE MEMORANDUM OF AGREEMENT  
ON THE ESTABLISHMENT  
OF AN ACCOR EUROPEAN WORKS COUNCIL*

Between the undersigned

Accor, a company whose registered office is at 2 rue de la Mare Neuve, 91000 Evry, and its subsidiary companies, represented by the duly authorized CEO Human Resources, Ms Cathy Kopp, and

The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, IUF, represented by its General Secretary, Mr Ron Oswald, and the European Federation of Trade Unions in the Food, Agriculture and Tourism Sectors and Allied Branches, EFFAT-IUF, represented by its General Secretary, Mr Harald Wiedenhofer,

and the following French trade union organizations;

The service workers' union Fédération des Services C.F.D.T., represented by senior shop steward Mr Doudou Konaté,

The agricultural, food and allied workers union Fédération Générale des Travailleurs de l'Agriculture, de l'Alimentation et des Secteurs Connexes F.O.-FGTA, represented by senior shop steward Mr Cécilio Garcia,

The national association of hospitality industry supervisors Syndicat National de l'Encadrement Hôtellerie, Restauration CGC, represented by Mr Didier Chastrusse

on the other hand

Whereas:

The European Works Council established in 1996 after an initial trial phase has generally fulfilled the parties' expectations.

It has nevertheless become necessary to improve its effectiveness by:

- Ensuring continuity of the body's operation and information flow by creating a Bureau,
- Laying down clear information procedures for exceptional circumstances
- Implementing specific training for EWC members,
- Ensuring a better dissemination of information on the body's work.

It is now therefore agreed as follows to supplement the Agreement of 10 June 1996.

## **BUREAU OF THE EUROPEAN WORKS COUNCIL**

- I. The Bureau of the European Works Council is hereby established to ensure an ongoing information flow, consistency of action and to keep the EWC informed thereon.
- II. It shall consist of a management representative, with assistance if need be, a representative of the IUF and 4 members of the European Works Council who hold elective office as employee representatives in the Accor Group.  
Members shall be appointed by reference to the representation of sectors of operation rather than geographical distribution or proportional workforce size.
- III. The Bureau shall be appointed for a term of 3 years.
- IV. The Bureau shall meet three months before the annual meeting of the European Works Council to consider the agenda and conduct of that plenary meeting,
- V. Where exceptional circumstances arise that might have a significant, long-term impact on the interests of Group employees in more than one country within the scope of the European Works Council, an extraordinary meeting of the Bureau shall be called by Group Management to be informed, hold an exchange of views on and discuss the proposed measures.

The information-giving process shall have regard to the mandatory provisions of the stock market authorities in the countries concerned. Management shall determine the place of the meeting.

In such cases the Bureau may be enlarged to include EWC members representing the countries and sectors of operation directly concerned.

Management nevertheless retains the right to call a plenary meeting of the EWC in light of the nature of the plans.

In cases other than the above-mentioned, the Bureau shall meet as necessary on notice given by Management. The IUF representative may propose that a meeting of the Bureau be called.

The parties agree that in emergencies in particular, the meeting need not necessarily take the form of a physical gathering of representatives but can be held remotely by videoconference or other means of telecommunication.

## **ANNUAL PLENARY MEETING OF THE EUROPEAN WORKS COUNCIL**

The meeting shall take place on 2 consecutive days according to the following timetable:

Day 1:

- morning preparation time for employee members; meeting in afternoon
- meeting in afternoon

Day 2:

- meeting in morning
- employee members' afternoon debriefing session on proceedings

## **MISCELLANEOUS PROVISIONS**

Current appointees to the EWC shall be given training on the role of the European Works Council, Thereafter, any newly appointed Group employee member shall be offered similar training and be given information on the set-up and business operations of the Accor Group.

Such training may be given as distance e-learning.

Two months before the plenary meeting, the IUF shall provide the list of EWC members, their workplace and home address.

A summary record of each meeting shall be drawn up jointly by Accor and the IUF.

It agreed that the company shall be responsible for publicizing the EWC and its work in particular in the Group's house journals.

This supplemental agreement shall become operative when signed and shall be subject to the general terms of the Agreement of 10 June 1996.

Done at Evry, this 8 October 2004

In 14 counterparts

For Accor and its subsidiaries, Ms Cathy Kopp,  
CEO Human Resources

For the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, IUF,

Mr Ron Oswald, General Secretary,

For the European Federation of Trade Unions in the Food, Agriculture and Tourism Sectors and Allied Branches, EFFAT-IUF,

Mr Harald Wiedenhofer, General Secretary

Fédération des Services C.F.D.T.,

Mr Doudou Konaté, senior shop steward

Fédération Générale des Travailleurs de l'Agriculture, de l'Alimentation et des Secteurs Connexes F.O.-FGTA,

Mr Cécilio Garcia, senior shop steward

Syndicat National de l'Encadrement Hôtellerie, Restauration CGC,

Mr Didier Chastrusse, senior shop steward