The long way to co-determination in France: obstacles and achievements

Paper abstract

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France is in a paradoxical situation. It was the first European country to introduce board-level employee participation (BLER), as soon as 1945, but only in the public sector. Since 2013, it has now mandatory BLER also in the private sector, but with the highest threshold and the lowest number of representatives per company in Europe. The obstacles on this long way were rooted in the French industrial relations culture, characterized by mistrust between employers and unions, and by hostility to BLER in the employers' organizations and, until the 1980s, also in the majority of the French trade unions. Different reform projects tried to overcome this stalemate, in particular the 1983 law on democratization of the public sector. The paper points out the positive experience, but also the procedural defects of this law and the new defects introduced by the laws of 2013 and 2015. I finally evaluates the perspectives for enhancement offered by the ongoing debate on company law reform.

References:

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