

EXECUTIVE SUMMARY

The 2025 European Works Council Directive

What CHROs Need to Know in Five Minutes or Less

The new European Works Council (EWC) Directive became European law on December 31, 2025 and will be transposed into national law in all EU and EEA Member States by December 31, 2027. **If your organization has an EWC, this will affect you** – particularly if your EWC was established prior to 1996, as existing agreements will no longer protect against claims to establish a new EWC.

Every existing EWC will need to change.

CHRO Association experts [Tom Hayes](#) and [Alan Wild](#) have developed a **comprehensive field guide to the new laws**, including a practical tool to assess what you need to do—and when. For CHROs who don't have time to read the full guide, this Executive Summary will tell you what you need to know.

Five minutes is enough to get ahead!

What the full Guide covers: We examine the EWC Directive in detail, including information; consultation; transnationality; regular meetings; exceptional circumstances; costs, experts, and training; links with national bodies; confidentiality; select committees; and communication.

[Download the Guide here.](#)



EWCs by the numbers: Every one of the 1,000-plus EWCs in place today *will need to change* in some way to comply with the new law. Germany has the highest number of covered companies (304), followed by the United States (168), with France in third place.

Designate an EWC expert. Those responsible for managing EWCs must be crystal clear on what the new Directive—and the national laws that transpose it—actually require, and what they do not. Many parties will offer their own interpretations of the law, often presenting “wish lists” rather than legal obligations. *That is why this Guide is important.*

Be clear on what EWCs are—and are not. EWCs are neither more nor less than procedures through which management informs employee representatives about general business conditions or proposed major decisions affecting employees across European borders. The EWC

is entitled to offer an opinion, to which management must respond in writing. There is no obligation to reach an agreement. While the new law introduces additional requirements, it does not change the fundamental role or purpose of EWCs.

EWCs inform and consult – they do not decide.

Choose your law wisely. Companies based outside the EU must operate through a Representative Agent within the EU. If you do not currently have a Representative Agent—or wish to change your existing one—*the time to address this is now.*

Be prepared for a challenge. Until the 2025 Directive, the role of the Special Negotiating Body (SNB) in establishing an EWC had almost disappeared. The new Directive brings it back into play, meaning companies should be prepared for a potential SNB request.

You may not *want* a mandated EWC—but its terms matter. As you consider whether to amend your current agreement to comply with the Directive, the Subsidiary Requirements (SRs) in the Annex are critical. These rules apply if no agreement is reached. Both sides will seek terms better than the SRs, but this does not necessarily mean that the SRs are a bad outcome for your company.

Some protections will end in 2027.

If you have an Article 13 agreement, the time to plan is *now*. The most significant change introduced by the new Directive is the abolition of the Article 13 (A13) exemption. After December 31, 2027, the 300-plus A13 agreements currently in place will no longer be exempt and will be open to an SNB request. Companies with A13 agreements will need to *act fast*.

Outside experts are given new rights and powers. Another significant clause involves new rules governing the role and payment for experts and legal advisers.

Your EWC is unique. Every agreement is one of a kind, and every company has multiple paths forward. Some may seek to preserve arrangements as close as possible to those they have today. Others, particularly those with more challenging EWCs, may view the Directive as an opportunity to reset relationships.

Now is the time to plan – and act!

CHRO Association's [practical assessment tool](#): Section 13 of the full Guide contains an assessment tool to help you get started. Now is the time to make strategic choices—and to plan for their implementation.

Got questions? Reach out to our European labor gurus [Tom Hayes](#) and [Alan Wild](#) with questions or for further discussion. They are waiting to hear from you!