

# ITALCEMENTI

## 04-07-2007



[translated from Italian]

### *AGREEMENT ON THE TRANSNATIONAL INFORMATION AND CONSULTATION OF EMPLOYEES (EX. ARTICLE 13 OF DIRECTIVE 94/45/EC OF 22 SEPTEMBER 1994)*

With reference to Article 13 of Directive 94/45/EC of 22 September 1994, the Interconfederal Agreement of 27 November 1996 and Legislative Decree No. 74/2002 which transposed Directive 94/45/EC,

ITALCEMENTI SpA, as the controlling undertaking of the companies listed in Annex 1 whose offices and production units are located in EU Member States

and

the SECRETARIAT of the EUROPEAN WORKS COUNCIL of delegates representing the employees, including in the name of and on behalf of the secretariats of FENEAL-UIL, FILCA-CISL and FILLEA-CGIL ITALIA, as trade union representatives of the workers employed by the controlling company Italcementi SpA and through their agreement with the EFBWW

have taken action to extend, with amendments and additions, the Agreement concluded between the same parties on 28 June 1995, previously renewed on 3 June 2003, concerning the transnational information and consultation of employees of the companies and in the sectors of activity listed in the Annexes.

1. Once a year, as a rule in the month of October, a meeting of the Council of delegates representing the employees of the above-mentioned companies shall be convened at the initiative of Italcementi SpA for the purposes of information and consultation on issues of transnational relevance which are of significant interest to the employees. Where necessary, a second annual meeting may be held with the agreement of both parties.
2. The information and consultation of the employees' delegates shall relate specifically to the following themes for all of the companies indicated in Annex 1:
  - the final data on production and sales and their probable development;
  - the economic results;
  - the situation and probable trend of employment;
  - large-scale investments, as well as large and substantial technological innovations which may affect employment levels and/or organisation and working methods;
  - the restructuring of undertakings or establishments and transfers of production having an overall impact on employment;
  - vocational training;
  - initiatives concerning health and safety at work;
  - environmental issues with particular reference to initiatives connected with sustainable development and corporate social responsibility.

3. The Council of employee representatives which participates in the meeting shall comprise 26 delegates. Should those delegates be unable to attend one or more meetings of the Council, they may be replaced by an alternate. The numerical distribution of employee representatives between the various undertakings is set out in Annex 2 and takes into account the size of the workforce and the economic/productive significance of those undertakings in the various countries, and also of the guidelines on equal opportunities for men and women in effect in the individual countries.

The employees' delegates must have been employed by the undertaking to which they belong for at least three years and shall be appointed by the representative trade union bodies existing in the workplace at the time of their appointment. Those bodies must have been established in conformity with the national legislation and/or practices in force in the country concerned.

The names of the delegates and their alternates shall be made known to Italcementi SpA by the Secretariat of the EWC, to which the appointments referred to in the previous paragraph must be forwarded.

The employees of the companies located in countries applying for entry to the European Union may appoint, through the representative workplace trade union bodies existing at the time of their appointment, a delegate who will attend the transnational information/consultation meeting as an observer. Following the country's entry into the European Union, the observer will become a fully-fledged member of the Council. Italcementi SpA and the Secretariat of the EWC must be notified of the observer's appointment through his/her company of employment.

4. Meetings of the Council shall be attended by representatives of FENEAL-UIL, FILCA-CISL and FILLEA-CGIL ITALIA in addition to the 26 delegates and any observers as indicated in point 3.

The Secretary of the EFBWW or a nominated substitute will be invited to the meetings.

5. A SECRETARIAT shall be established within the Council of employee representatives as a permanent advisory and coordination body, composed of four members (1 for Belgium, 1 for France and 1 for Spain). It shall be appointed by the Council delegates and chaired by a representative designated unanimously by the Italian national sectoral trade union organisations. The Secretariat shall meet twice a year: the first time by the month of April, for an initial examination of the topics listed in point 2, and a second time, by July, to determine the agenda to be proposed for the annual meeting of the Council of delegates representing the employees.

On those occasions, the Secretariat shall meet with the Group Human Resources Management of Italcementi SpA in order to set the final agenda, place and date of the annual meeting of the Council.

6. At least 15 days before the meeting scheduled in accordance with the procedure set out in point 5, Italcementi SpA shall send each member of the Council of appointed delegates a written communication containing, if possible, a summary documentation forming the basis of the information and consultation. It will also indicate the date, venue and agenda for the meeting, as agreed with the Secretariat.

In order to facilitate communication among Council delegates, they will be given the possibility of using computers equipped for the use of e-mail. A secretarial service for organisational and logistical arrangements will nevertheless operate at the Bergamo premises of Italcementi SpA.

The meeting will be attended by representatives of the General Management of Italcementi SpA.

The Council members shall meet on the day before the meeting with the company in order to examine the topics forming the subject of the information session and before the conclusion of the proceedings in order to evaluate the progress made.

Simultaneous interpreting in the languages of the appointed representatives, as well as recording facilities, shall be provided by Italcementi SpA for the holding of the meetings referred to in points 5 and 6. A record of the meeting of the Council of delegates shall be drawn up by Italcementi SpA in the delegates' languages in paper form and/or electronically. It will be sent to participants within 90 days. Moreover, the internal publication "Vision Group" will contain a report on the Council meeting and the main themes addressed, in a joint statement by the Company Management and the Secretariat.

7. Where any unforeseen circumstances come to light at the annual meeting referred to in point 1, entailing initiatives of companies belonging to the Group which may have transnational effects on the workforce, an extraordinary information and consultation session shall be held. The Council of employee representatives will be convened by Italcementi SpA with 10 days' notice.
8. Italcementi SpA shall defray the travel and accommodation expenses of the employees' delegates who participate in meetings of both the Council and the Secretariat, either directly or through the controlled undertakings. Delegates shall be entitled to three or four days of paid time-off to attend the annual meeting of the Council, depending on whether or not they represent the country in which it is being held. Members of the Secretariat shall be granted a total of four additional days of paid time-off to attend its annual meetings.
9. The EWC, through the Secretariat and by agreement with the Company Management, may request the consultation of an expert on specific topics and his/her attendance at the preparatory meeting of the Council. The cost will be borne by the Company.
10. The delegates shall enjoy the same protection provided for trade union representatives by the national legislation and collective bargaining rules in force in their own country.
11. The employee representatives are not authorised to reveal any information, received with a view to or at meetings of the Council and the Secretariat, which is declared confidential by the management and may be detrimental.
12. The Secretariat and the Group Human Resources Management of Italcementi SpA shall take steps to check on the existence of any ESF-funded training projects which may be of interest to the workforce and could be accessed.
13. Any implementing rules for this Agreement determined by the parties at meetings of the Council, and duly minuted, shall be incorporated into the next renewal of the Agreement and applied as from the following Council meeting.
14. The provisions of this Agreement shall neither cancel nor replace the rules on employee information and consultation laid down by legislation and/or practices in force in the countries and for the sectors covered by this procedure.
15. This Agreement shall be valid for four years and tacitly renewed for the same period unless it is terminated by the signatory parties by registered letter with acknowledgement of receipt, at least three months before the expiry date.
16. This Agreement shall be filed with the Ministry of Employment and the EU Commission.

Rome, 4 July 2007  
Read, confirmed, signed

ITALCEMENTI SpA

for FENEAL-UIL  
FILCA-CISL (the Secretariat)

FILLEA-CGIL

(in support) EFBWW



## ANNEX 1 - Companies affected by the Agreement establishing a procedure for the transnational information and consultation of employees

| Country                     | Business              | Company                    | No. of employees |
|-----------------------------|-----------------------|----------------------------|------------------|
| ITALY                       | Cement                | ITALCEMENTI                | 5,074            |
|                             |                       | TERMINAL RIUNITI           |                  |
|                             |                       | CEMENTIFICIO DI MONTALTO   |                  |
|                             |                       | CTG Italia                 |                  |
|                             | Concrete & aggregates | CALCESTRUZZI               | 3,386            |
|                             |                       | CEMENCAL                   |                  |
|                             |                       | SPEEDYBETON                |                  |
|                             |                       | EICA                       |                  |
|                             |                       | ESA MONVISO                |                  |
|                             |                       | ECOINERTI                  |                  |
|                             | Transport             | GRUPPO ITALSFUSI           | 975              |
|                             | Other                 | SOCIETA DEL GRES ing. SALA | 27               |
|                             |                       | ITALSINTEX                 |                  |
|                             |                       | AXIM Italia                |                  |
| ITALSIGMA                   |                       |                            |                  |
| ITALGEN                     |                       |                            |                  |
| CALCEMENTI JONICI           |                       |                            |                  |
| SILOS GRANARI DELLA SICILIA |                       |                            |                  |
| SAMA                        |                       |                            |                  |
| INTERCOM                    |                       |                            |                  |
| ITC FACTOR                  |                       |                            |                  |
| FRANCE                      | Cement                | BRAVOSOLUTION Italia       | 686              |
|                             |                       |                            | 4,120            |
|                             |                       | CIMENTS FRANCAIS           | 1,735            |
|                             |                       | CIMENTS CALCIA             |                  |
|                             | Concrete & aggregates | CTG France                 | 1,735            |
|                             |                       | UNIBETON                   | 1,401            |
|                             | Transport             | GSM                        |                  |
|                             | Other                 | TRATEL                     | 830              |
|                             |                       | SOCLI                      |                  |
|                             |                       | AXIM France                |                  |
| SOC. INV. PART. DU LITTORAL |                       |                            |                  |
| BRAVOSOLUTION France        |                       |                            |                  |
|                             |                       | 154                        |                  |
| BELGIUM                     | Cement                | CCB                        | 591              |
|                             |                       | CFC                        |                  |
|                             | Concrete & aggregates | CCB                        | 311              |
|                             |                       | STC                        |                  |
| Transport                   | TRABEL TRANSPORTS     | 37                         |                  |
|                             |                       | 863                        |                  |
| SPAIN                       | Cement                | SOC. FINANC. Y MINERA      | 461              |
|                             |                       | CENTRO ADM. Y SER. MALAGA  |                  |
|                             | Concrete & aggregates | HORMIGONES Y MINAS         | 279              |
|                             |                       | COMP. GEN. DE CANTERA      |                  |
|                             | Transport             | VENTORE                    | 52               |
|                             |                       | Other                      |                  |
| GREECE                      | Cement                | ATLANTICA                  | 71               |
|                             |                       | AXIM BUILDING TECH.        |                  |
|                             |                       | BRAVOSOLUTION Spain        |                  |
|                             |                       |                            |                  |
|                             |                       | HALYPS BUILDING MATERIALS  | 164              |

|          |                       |  |            |
|----------|-----------------------|--|------------|
| BULGARIA | Concrete & aggregates | DOMIKI BETON<br>ET BETON<br>AMMOS DEVELOPMENT QUARRIES | 137<br>546 |
|          | Cement                | DEVNYA CEMENT<br>VULKAN                                | 512        |
|          | Concrete & aggregates | ARTESKOS   | 34         |

## ANNEX 2 - DISTRIBUTION OF EMPLOYEE REPRESENTATIVES BY COUNTRY AND ACTIVITY

| COUNTRY  | CEMENT        |          | CONCRETE & AGGREGATES |          | TRANSPORT     |          | OTHER         |          | TOTAL         |          |
|----------|---------------|----------|-----------------------|----------|---------------|----------|---------------|----------|---------------|----------|
|          | No. employees | No. reps | No. employees         | No. reps | No. employees | No. reps | No. employees | No. reps | No. employees | No. reps |
| ITALY    | 3,386         |          | 975                   |          | 27            |          | 686           |          | 5,074         | 11       |
| FRANCE   | 1,735         |          | 1,401                 |          | 830           |          | 154           |          | 4,120         | 8        |
| BELGIUM  | 243           |          | 311                   |          | 37            |          |               |          | 591           | 2        |
| SPAIN    | 461           |          | 279                   |          | 52            |          | 71            |          | 863           | 2        |
| GREECE   | 164           |          | 137                   |          |               |          |               |          | 301           | 1        |
| BULGARIA | 512           |          | 34                    |          |               |          |               |          | 546           | 2        |
|          | 6,501         |          | 3,137                 |          | 946           |          | 911           |          | 11,495        | 26       |