

Minutes of the Board Meeting on 25 January 2016 in Amsterdam

Place: Palthe Oberman Advocaten
Prins Hendriklaan 41
1075 BA Amsterdam

Time: 12:00 noon – 4:00 p.m.

Present:

Claire Toumieux (Chair)

Bartłomiej Raczkowski (Vice-Chair)

John Macmillan

Terrence McCrann

Chris Engels

Lars Holo

Helene Amsinck

Pirkko-Liis Harkmaa

Malcolm Pike

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Board:

Claire Toumieux (Chair)
Paris, France

Bartłomiej Raczkowski (Vice-Chair)
Warsaw, Poland

Martin Diller (Secretary General)

Stuttgart, Germany

Dame Janet Gaymer DBE QC (Honorary Chair)

London, England

Roland Gerlach

Vienna, Austria

Chris Engels

Brussels, Belgium

Youliana Naoumova

Sofia, Bulgaria

George Georgiou

Nicosia, Cyprus

Nataša Randlová

Prague, Czech Republic

Helene Amsinck

Aarhus, Denmark

Malcolm Pike

London, England

Petteri Uoti

Helsinki, Finland

Klaus-Stefan Hohenstatt

Hamburg, Germany

Constantin Bakopoulos

Athens, Greece

Andrea Soos

Budapest, Hungary

Lars Holo

Oslo, Norway

Terrence McCrann

Dublin, Ireland

Franco Toffoletto

Milan, Italy

Pirkko-Liis Harkmaa

Tallinn, Estonia

Guy Castegnaro

Luxembourg, Luxembourg

Matthew Brincat

Valletta, Malta

Gareth Walls

Belfast, Northern Ireland

Maria da Glória Leitão

Lisboa, Portugal

Corina Radu

Bucharest, Romania

John Ernest Macmillan

Glasgow, Scotland

Dusan, Nitschneider

Bratislava, Slovakia

Pilar Cavelero

Madrid, Spain

Paula Embro Hogéus

Stockholm, Sweden

Ueli Sommer

Zurich, Switzerland

Christiaan Oberman

Amsterdam, The Netherlands

Petteri Uoti
Pilar Cavero
Maria Gloria Leitau
Natasa Randlova
Dušan Nitschneider
Corina Radu
Youliana Naoumova
Ueli Sommer
George Z. Georgiou
Christiaan Oberman
Franco Toffoletto
Guy Castegnaro (by phone from Item 7 of the agenda)

1. Welcome and opening

Claire Toumieux opened the meeting and welcomed all present.

Claire Toumieux explained that the Compendium will now be reduced to the documents related to the upcoming Board Meeting.

Dušan Nitschneider reported on the first preparations for the conference in Bratislava and confirmed that he will organise the conference in Bratislava in 2018.

Pirkko-Liis Harkmaa confirmed that the conference in 2019 can be organised in Tallin.

2. Approval of the minutes of the Board Meeting held on 26 October 2015 in Prague

Maria Gloria Leitau noted that she was not listed as present.

Helene Amsinck proposed an amendment but later she withdrew it.

The minutes with the above amendment were approved and will be posted on the website.

3. Report on EELA-ERA conference of 20 November 2015 in Brussels and decision about 2016

Claire Toumieux made a report. There had been only 50 participants, which can be partly explained by the terrorist attacks. The session on religious discrimination was particularly interesting. There were good academic speakers and representatives of the EU Commission and ECJ were also present. But there were not enough lawyers on the panels. Claire Toumieux had to recommend someone on a short notice.

EELA will continue the cooperation with ERA on Brussels' conference for one more year before deciding whether the experience should be continued. It should be more involved in the preparation to make it more practical.

4. Update on the Prague conference

Natasa Randlova gave a report on registrations and the progress.

Natasa Randlova has reached an agreement with Michael Rubinstein for 3 years, on his fee and accommodation. The Board decided to offer him a 3 year deal: EUR 750 fee, 3 nights, travel up to EUR 700 and EUR 70 towards his wife's social events.

Helene Amsinck volunteered to replace Guy Castegnaro as the Session Organiser for this panel.

Session Organisers are not to be mentioned in any materials/communications/programs.

Bartłomiej Raczkowski will prepare tender specification for the bid for a "permanent" conference organiser by the end of February. There will be a question for fee quote with a note that fixed price is preferred, if possible.

Once approved, Board Members will provide bids from conference organisers with which they are in touch. The bidders will be invited to present their offers to the Board. The Board will appoint the permanent organiser for a 3-years term.

5. Decision regarding proposed amendments to Annex A

Claire Toumieux announced that Paula Hogeus intends to resign from the Board. A call for Swedish Board member will then be needed.

Claire Toumieux reported 5 proposals of changes in Annex A as outlined in the Compendium.

They were approved by the Board.

Claire Toumieux will propose at the next Board Meeting a change in the Constitution that a person once approved as member will not be expelled even if at some point they fall outside of the definition in Annex A. However, a person not meeting the criteria in Annex A cannot stand for the Board and if they fall outside of the definition during their term on the Board, they have to resign.

6. Discussion and decision about the publication of EU legislation news and case reports on the EELA website and subsequent improvements of the website

Claire Toumieux reported on the proposal to replace EELC with a relationship with Planet Labor which is a news agency reporting on changes in EU employment law, as well as on cross-border company practices/agreements, and main national reforms.

A cooperation with Planet Labour may require improvement of the EELA website.

Niek Brinkman of Mediaweb joined the Board to make a presentation of the proposed changes to the website.

The EELA website should be able to host the information on the conference instead of setting up a special website for every conference.

Cooperation of Informer and the website will be investigated.

The website can be updated in time before the Prague conference.

Niek Brinkman left the meeting.

The Board decided to proceed with the update of the website based on the presentation by Niek Brinkman and based on the budget presented in the Compendium.

Franco Toffoletto will continue this work on behalf of the Board.

Claire Toumieux reported on the offer of cooperation with Planet Labor. It was decided to retain Planet Labor in accordance with their proposal No. 5 for a trial period of one year.

Members will continue to be encouraged to post national level in National Roubrique.

Planet Labor posts should be behind login. Only the headline will be publicly accessible.

Decrease of the membership fee from EUR 135 to 80 will be proposed to the General Assembly in Prague. But already the call for the fee for 2016 will be for EUR 80.

7. Discussion and decision about update of the EELA conference protocol (including the representation of alliances & law firms)

The Board will propose to the General Assembly to change the Constitution in such a way that the Conference Committee is composed of the two previous Chairpersons of the Committee, the current one and two future ones.

The timetable of organisation stages to be more specific in the future.

The Board chooses Option 2 in Sec. 7.5. - flexible guidelines

The Board voiced several remarks to the draft which were noted by Bartłomiej Raczkowski and will be incorporated in the draft.

The new Conference Protocol once approved will enter into force as of after the Prague conference.

8. Discussion regarding the project “EELA Forum for arbitration”

Helene Amsinck reported that there has been no progress on the project.

Franco Toffoletto stressed that the rules of arbitration must include a clause on the nature of the binding force of the awards issued in arbitration.

EELA will first develop arbitration rules and in the second stage make a list of arbitrators.

9. Decision on secretarial fees

The Board approved the payment of EUR 25,000 for 2014 and the same amount for 2015 to Gleiss Lutz for secretarial services.

10. Date and timing of next Board Meeting

The next Board Meeting will take place in Prague on 19 May 2016 at 3-5pm o'clock.

11. Closing

Claire Toumieux closed the meeting.

Claire Toumieux

Bartłomiej Raczkowski