

Agreement on informing and consulting employees and employees' representatives of Siemens in Europe

P r e a m b l e

The internationalization of business and the single European market are resulting in a change in the thinking of employees and the structure of companies. Within this integration process, economic and social aspects are together forming the basis for forward-looking corporate policies.

In this context, great importance is attached to fair relationships between group management, employees and employees' representatives. This includes both the provision of timely mutual information and opportunities for everyone concerned to have their views and opinions included in the dialogue. A transnational exchange of information and views will foster mutual understanding, a sense of belonging to one of Europe's leading companies and a readiness to cooperate. If employees' representatives from the Siemens group are able to exchange experiences, this will also indirectly affect the contribution of the unions to European events.

A trans-European dialogue must equally reflect the diversity of our company and its presence in every country in Europe as well as the independence of mature social traditions in the individual countries. For this reason, a procedure comprising both central and local elements is being introduced. At the group level, a Siemens Europe Committee is envisaged as a European employee body. At the level of the individual countries employees and/or their representatives will be informed and consulted according to national practices. Local representatives will be incorporated into existing information and consultation structures to discuss operating-group-specific issues.

The present agreement covers all company employees within its area of application. It represents a permanent arrangement. All parties are prepared to amend individual provisions should this be required by experience gained in operating the agreement or by other significant factors. Where procedures are not described in detail, individual agreements will be reached in a spirit of mutual trust and cooperation.

1. Area of application

The present agreement, pursuant to Article 13 of EU Council Directive 94/45 of 22 September 1994, governs the transnational information and consultation of employees and/or their representatives in the Member States of the European Union, including the United Kingdom and in Norway and Switzerland. It applies to the Siemens groups, including all consolidated subsidiaries, in the countries named.

2. Subject of information and consultation

The subject of information and consultation will be in particular, the issues listed below which are transnational in character within the area of application of the present agreement:

- Group structure, including major changes (mergers, spin-offs, closures, downsizing or relocation of companies or parts of companies, relocation of production, mass redundancies)
- Economic and financial situation
- Current situation and projected development of production, sales and employment
- Major investment plans and fundamental changes to the organization
- Introduction of fundamentally new working of manufacturing practices.

Matters which are of interest only to employees and companies in a single country will remain the sole responsibility of the parties within that country in line with the usual, local regulations. The rights and duties of the employees' representatives at national level are not affected.

3. Siemens Europe Committee (SEC), composition, period of appointment

A Siemens Europe Committee (SEC) will be formed for the purpose of information and consultation. Each country will be represented by at least one member, provided that there are at least 150 employees in that country. One member will be appointed to the SEC for every 20,000 employees or part thereof in Germany, and one for every 6,000 employees or part thereof in the other countries. If as a result of changes in the number of employees or of the accession of further countries into the EU this formula results in the SEC having more than 35 members, this formula will be re-negotiated. The remaining provisions of this agreement will not thereby be affected.

Only employees of the group can be members of the SEC. The members are appointed in accordance with the normal practices of the country concerned. The group management will provide the information needed to ensure that in all countries all consolidated subsidiaries can be included in the respective appointment process.

The period of appointment of all the members will be governed by the regulations valid in the country providing the most members. Should the terms of office of an SEC member no longer be fulfilled during a period of appointment, a replacement member will assume office.

4. SEC meetings

The SEC will meet once annually, normally at the group headquarters and at a time suitable for current reporting. If events occur between meetings which significantly affect the interests of employees and which permit no delay, clause 5 (2) applies as regards information and consultation.

The purpose of the meeting will be to inform and consult on the situation of the group in accordance with clause 2. The participants will receive written documentation in advance.

In addition to the SEC members and representatives of group management, representatives of group companies and of selected regional companies and operating groups will participate in the meeting. The duration of the meeting, including the preliminary session of the SEC members, is not expected to exceed two days.

The conference language will be German, with translation into the necessary number of languages. If the cost of translation can thereby be reduced in real terms, language training for individual SEC members is a priority.

Where votes need to be taken at the SEC meeting, the voting weight of the members from the individual countries is determined by the number of employees they represent. If a country has several members, this applies on a pro rata basis.

5. Executive Committee (EC)

The EC comprises the chair and deputy chair of the SEC and three other members which represent the European clusters North West Europe, South West Europe and Central Eastern Europe. The SEC will elect the members of the EC from among its members.

The EC will be the contact for group management in all transnational issues within the meaning of clause 2 which have been passed to it by the SEC for further action, or which arise between SEC meetings. Where necessary, the EC can involve the SEC members from the countries concerned or an equal number of other appropriate employees' representatives from within the company to attend discussions.

The EC is also responsible for planning the SEC meeting; it will receive support from the company as regards organization. In order that the SEC can also make use of external experiences for information and consultation, the EC may invite an expert to the SEC meeting as a guest.

The EC will be provided with the necessary resources at group management headquarters. The running costs of the EC and the costs related to the organization of SEC meetings will be met by group management. Travel costs related to SEC meetings will be met by the company employing the SEC member concerned.

The conference language will be German or English, depending on the EC's decision. There will be no translation.

6. Cluster meetings

Cluster meetings of the clusters North West Europe, South West Europe and Central Eastern Europe will take place once a year at intervals of approx. six months to the SEC meetings. The cluster meetings serve for information and consultation regarding the group's situation in the cluster in accordance with clause 2. If events occur between meetings which significantly affect the interests of employees and which permit no delay, clause 5 (2) applies as regards information and consultation.

In addition to the respective cluster's SEC members and representatives of cluster management, a minimum of one EC member and a representative of the group's management from CP will participate in the meeting. The duration of the meeting, including the preliminary session of the cluster's SEC members, is not expected to exceed one day.

The conference language will depend on the cluster's decision and be either German or English, with translation into the necessary number of languages. If the cost of translation can thereby be reduced in real terms, language training for individual SEC members is a priority. Written documentation will be provided in German and English only.

Where votes need to be taken at the cluster meeting, the voting weight of the members from the individual countries is determined by the number of employees they represent. If a country has several members, this applies on a pro rata basis.

Costs related to the organization of cluster meetings will be met by group management. Travel costs related to SEC meetings will be met by the company employing the SEC member concerned.

7. Rules of procedure

In order to regulate procedural questions that are not covered in detail in the present agreement, the SEC will, at the proposal of the EC, adopt rules of procedure. The EC will forward the proposal in advance to group management.

8. Information and consultation at national level

Group management will ensure that the employees and/or the employees' representatives will also be informed and consulted about matters dealt with in the SEC in the usual, local form. To this end, the company managements in the individual countries will receive the same documents as the members of the SEC.

9. Information and consultation at operating group level

The SEC members from the countries in which about 400 employees are accounted for an operating group will be invited to operating-group discussions at Siemens AG.

The SEC members should delegate participation to an employees' representative employed by the operating group concerned.

Written documentation for the operating-group discussions will not be translated. The conference language will be German; whether a translation is necessary will be determined by mutual agreement on a case-by-case basis.

The same rules will apply analogously to large group companies.

10. Principles of cooperation

Cooperation should be characterized by openness and mutual trust, and serve the good of the employees and of the company. The representatives of the company and of the employees will refrain from all actions that impair orderly operations or peace within the company and its facilities. The rights and duties of the SEC members to protect employees' interests in accordance with their national legislation are not affected.

11. Confidential information

Any information expressly provided in confidence may not be revealed by employees' representatives at all or before a specific date. This obligation will continue to apply even after expiry of the period of appointment.

12. Protection of employees' representatives

The employees' representatives exercising their functions will enjoy the same protection and guarantees provided for employees' representatives by the national legislation and/or practice in force in their country of employment. They may be neither advantaged nor disadvantaged by the performance of their duties. In particular, the working time not worked due to participation in SEC meetings will be subject to compensation, including necessary out-of-pocket expenses.

13. Final provisions

This agreement enters into force on 1 June, 2008 and has no time limit. Nine months notice may be given by either party at the earliest after 5 years to terminate the agreement. The existing agreement will continue to apply until a new agreement is reached.

If differences of opinion arise in respect of the content or interpretation of this agreement, the member of the managing board of Siemens AG responsible for Personnel and the EC of the SEC shall jointly arrive at a decision in this matter. If the difference of opinion cannot be resolved in this way, it may be settled by the competent court in Munich. The German version of this agreement shall prevail.

Vienna, 29 May, 2008

Siemens Aktiengesellschaft

Siemens Europe Committee

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