



EFFAT

EUROPEAN FEDERATION OF FOOD, AGRICULTURE AND TOURISM TRADE UNIONS

RESOLUTION

EFFAT Member Organisations condemn Coca-Cola aggressive attack on jobs and workers' rights in Europe and express solidarity to the Fuenlabrada colleagues

***EFFAT Coca-Cola Coordination Group
Berlin, 8-9 March 2017***

Adopted by the EFFAT Coca-Cola Coordination Group on 09 March 2017

Background

In January 2014 Coca-Cola Iberian Partners (CCIP) unveiled a redundancy plan affecting 1800 workers. The company declared that nobody would be made redundant forcibly, but on a voluntary basis.

Subsequent evidence showed these promises were false. In April 2014 CCIP announced an *Expediente de regulación de empleo* – Labour forced adjustment plan, which affected 1190 people and included the closure of four out of eleven plants based in Spain: Colloto in Asturias, Alicante, Palma de Mallorca and Fuenlabrada, Madrid. Coca-Cola Iberian Partners finally carried out 821 dismissals, of which 236 forced redundancies in Fuenlabrada.

Fuenlabrada – the major production and logistics plant in Spain – had benefited from massive investments in recent years. Between 2010 and 2012 the Fuenlabrada plant generated more than 900 million profits.

In June 2014, the Social Chamber of the National Court of Madrid (*Audiencia Nacional*) declared the redundancy plan invalid, because the right to strike had been violated through “blacklegging”, i.e. replacing strikers with other workers. The Court ordered that the workers be reinstated under previous terms and conditions. Coca-Cola then appealed to the Supreme Court.

Six months later, at the request of EFFAT Member Organisations CC.OO and UGT, the National Court gave the company a five-day deadline to comply with the ruling. The company then announced that it “respected and accepted” the court decision but that the National Court’s ruling “does not require the workers’ effective reinstatement”, which depends exclusively on the will of the company”. In January 2015, a month after issuing this statement, the company dismantled the Fuenlabrada plant using external staff. A large number of police officers were brought in to stop trade union representatives from entering the facility. Several colleagues who were staging a protest at the Dignity Camp on the gates of CASBEGA were beaten.

On April 2015, the Supreme Court upheld the ruling by the *Audiencia Nacional*, declaring the dismissals invalid. The Supreme Court handed down two sentences in favour of the workers, first deciding that the company should pay back-wages to dismissed employees, and then that they should be re-employed under the same conditions as prior to dismissal.

On 22 May 2015, Coca Cola Iberian Partners reopened the Fuenlabrada plant, although as a logistics centre (COIL) rather than as a production plant.

The COIL report outlines the impracticable conditions suffered by employees. Part of the Fuenlabrada site is closed and employees are shifting crates of empty bottles by hand in unheated warehouses. Evidence shows CCIP didn't comply with the ruling, by adopting a solution which is purely fictional.

Unexpectedly, on 18 January 2017, the Supreme Court confirmed workers had been reinstated in a proper manner. This ruling will be further appealed by CC.OO.

Declaration

The EFFAT Coca-Cola Coordination Group, made up of national trade union officers, senior shop stewards and members of national and European works councils representing the Coca-Cola workforce employed at Coca-Cola European Partners, The Coca-Cola Company, and Coca-Cola Hellenic Bottling Company, declare:

- We strongly condemn the aggressive attitude adopted by Coca-Cola Management in Spain. What is happening in Fuenlabrada is an unacceptable attack against workers and human rights. It is a shameful cosmetic ruse that puts workers' physical and mental health at risk while violating their dignity. We urge Coca-Cola Management to re-open the production units in Fuenlabrada and give the Coca-Cola employees and their families their rights back. We urge Coca-Cola to enter into constructive dialogue with national trade unions in Spain;
- We express solidarity and support to our colleagues in Fuenlabrada and in the rest of Spain as well as to all those in other parts of Europe where Coca-Cola employees have lost their jobs because of increased productivity measures. We strongly support their struggle and their fights;
- We demand that Coca-Cola stops destroying jobs and we condemn the endless request for labour flexibility aimed at maximising profits across Europe;
- We demand that Coca-Cola fully respects trade union and workers' rights and ends all forms of personal discrimination against elected workers' representatives. We will no longer tolerate any violations of fundamental rights.
- We demand that Coca-Cola enters into a permanent and constructive dialogue at EU level with EFFAT – an officially recognized European social partner – and its national affiliates, to deal with the anticipation of change and restructurings in Europe.