

Follow-up Specific Instance Birlesik Metal-IS and Systemair AB

In the Final Statement from the Swedish NCP 22 September 2022, the NCP invited the complainant and enterprise to submit an update on the progress after 6 months from the day the Final Statement was published. Both parties have responded to the NCP. The Swedish NCP welcomes that the enterprise has strengthened its processes, codes of conduct, whistleblowing system, awareness-raising activities, audits, and the formation of European Works Council. However, there are still several legal processes ongoing, both related to union certification as well as dismissals of employees. Some Court decisions on dismissals have been issued and appealed. In the follow-up, the NCP observes that some issues related in the complaint are still unresolved. The NCP reiterates the recommendation that Systemair's subsidiary in Turkey promptly complies with the Turkish court decisions when the legal process is finalized, and notes that the enterprise has committed to do so. As there has been no evidence of direct dialogue between parties the NCP would like to highlight the recommendation to engage in meaningful dialogue on the issues raised in the specific instance, and it would also at this stage encourage the enterprise to initiate such a process. The Swedish NCP decided in its meeting on the 18 October 2023 on the follow-up actions that it cannot contribute further to the resolution of the issues but welcomes information from the complainant and enterprise on the outcome of the legal processes when finalized and any other progress related to the Specific Instance.