



# Germany expands works councils' rights, addresses AI and remote work

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The rights of works councils will be expanded, and procedures for the establishment and election of new works councils will be simplified, under measures included in the Works Council Modernization Act. The act passed parliament on 28 May 2021, and is expected to take effect later this summer.

## Highlights

- **Simplified establishment and election procedures for works councils if the employer has five to 100 employees.** Employers with 101 to 200 employees can also agree to the same simplified election procedures. The requirement to obtain supporting signatures to establish works councils will be eased for companies with fewer than 20 employees. All employees aged 16 years or older will be allowed to vote in works council elections.
- **Expanded protection against dismissal.** Employees who campaign to establish works councils are protected from dismissal. Under current law, only election candidates and works council members are protected.
- **Employers' use of artificial intelligence (AI) and the organization of mobile work.** Works councils will have codetermination rights to approve how mobile work (employees working at alternate locations) and remote working will be organized. Works councils can invite outside experts — at the employer's expense — to advise on an employer's proposed operational AI use, and must be consulted on working practices or other procedures that use AI.
- **Expanded rights on vocational training provisions.** Works councils can now appeal to the conciliation board for mediation if an agreement on vocational training cannot be reached with the employer.
- **Continuation of virtual meetings and teleconferencing.** After the COVID-19 pandemic ends, works councils can continue to meet virtually and use teleconferencing, subject to meeting certain criteria.

## Related resource

- [Works Council Modernization Act](#) (German) (German Parliament, May 2021)

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