



1 Whistleblower protection 2 not yet at the finishing line

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5 **ADOPTED AT EUROCADRES**
6 **GENERAL ASSEMBLY 17 OCT. 2019, LISBON**

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8 The transposition period for the Whistleblower Protection Directive starts in a few weeks.
9 Eurocadres worked hard together with the platform WhistleblowerProtection.EU to improve
10 the Directive and we were successful. The Directive now offers a reversal of the burden of
11 proof, a broad and open personal scope including not only workers but volunteers, interns etc
12 and – although internal reporting is encouraged – reports directly to authorities without an
13 internal report first, will also grant protection.

14 There is an opportunity and a duty for trade unions to ensure the national transposition fills
15 the gaps and rectifies the flaws of the directive. Eurocadres points to four major issues to fix
16 during the two-year transposition period:

17 **1. Fix trade union rights**

18 The right to be represented by and consult with a trade union must be secured.

19 **2. Fix the scope**

20 Reporting on workers' rights, discrimination and occupational health and safety must give
21 right to protection. Or even better: cover breaches in all areas by a horizontal protection.

22 Make sure to include national legislation, not only EU law.

23 **3. Fix the internal reporting**

24 Reporting internally to a line manager, supervisor, or the HR-department must grant
25 protection and not only using the dedicated internal reporting channel. This is not clear

23 enough in the directive.

24 **4. Fix the criminal-offence trap**

25 National law determines if reporting persons are liable for “self-standing criminal offences”.

26 It must be safe to use documents at the workplace for a report without risking criminal liability.

27 Eurocadres will work constructively with its members, the platform members of

28 WhistleblowerProtection.EU, ETUC and other forces who want to secure improved protection

29 for whistleblowers.
