

## European Court of Human Rights upholds collective bargaining unity

**Berlin, 14.07.2022 – The European Court of Human Rights (ECtHR) found that the German Collective Bargaining Unity Act does not violate the European Convention on Human Rights (ECHR). Luther Rechtsanwaltsgesellschaft represented Deutsche Bahn and the employers' association AGV MOVE as third parties.**

The ECtHR ruled on complaints by trade unions and trade union members against the Federal Republic of Germany on 5 July 2022. The German law on collective bargaining (§ 4a TVG) does not violate the European freedom of association (Art. 11 ECHR). It can therefore continue to be applied at Deutsche Bahn. In 2017, the Federal Constitutional Court had already ruled that the provision was constitutional, and the legislature subsequently amended it again.

Luther had represented Deutsche Bahn on this issue in the past both before the Federal Constitutional Court and in *dozens of proceedings before labour courts*.

### **On behalf of Deutsche Bahn/AGV MOVE:**

Luther, Labour Law (Berlin): Prof. Dr. Robert von Steinau-Steinrück (Partner), Dr Paul Gooren (Partner).Luther

Deutsche Bahn/AGV MOVE in-house: Florian Weh (General Manager AGV MOVE), Carsten Schröter (Head of Association and Litigation Representation AGV MOVE)

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