



Posting of workers: A bad deal that will harm the functioning of the Single Market for services

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On 28 February, the trilogue negotiators reached a provisional deal on a revision of the posting directive.

The business community regrets that the Bulgarian Council Presidency and the European Parliament decided to limit the length of postings to 12 months with the possibility to extend it to 18 months on the basis of motivated notification from companies. The co-legislators confirmed the compromise driven by political symbolism reached by the EPSCO Council last October.

The deal reached does not correspond to the needs of companies operating in the Single Market. Long-term mobility is a relatively common practice in sectors such as manufacturing or business services where concerns regarding fraud are virtually non-existent. Limiting mobility will harm these high value added activities and undermine the functioning of the Single Market for services.

Debates on posting of workers in the last years largely ignored the realities of companies and workers, and were hijacked by artificial considerations of a political nature based on a very biased and misleading use of facts. For example, the positive role played by posting of workers to improve companies' access to skills was largely underplayed, even though many companies across Europe are currently struggling to find the workforce they need due to growing skills shortages.

“As Europe currently thinks about its future, this negative EU regulatory intervention is rather an example of what Europe should not do, externally or within its own borders, the choice of protectionism”, concluded BusinessEurope Director General Markus J. Beyrer.



Background information:

- Posted workers only represent less than 1% of the labour force and many come from member states with high levels of social protection and pay.
- Directive 96/71/EC requires host Member States to apply a range of standards (including e.g. provisions on minimum rates of pay and on equal treatment of men and women) equally for posted and national workers.
- The directive on the enforcement of the posting of workers directive was adopted in May 2014 and came into force in the Member States in June 2016.
- The Commission proposed to revise the posting of workers directive in March 2016.

ENDS

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