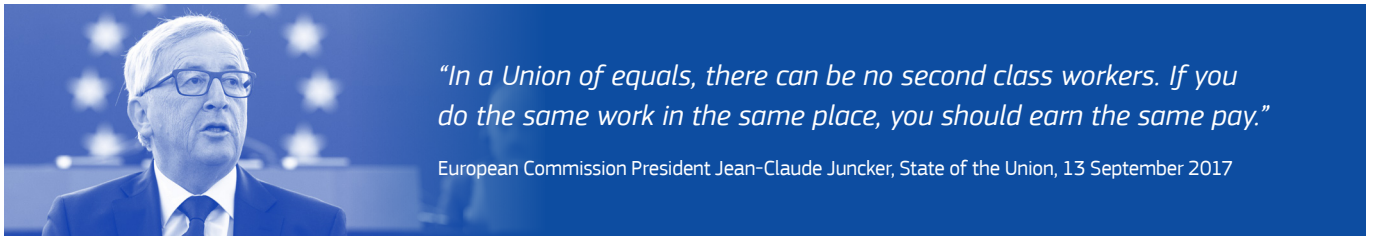




European
Commission

STATE OF THE UNION 2017

POSTING OF WORKERS IN THE EU



"In a Union of equals, there can be no second class workers. If you do the same work in the same place, you should earn the same pay."

European Commission President Jean-Claude Juncker, State of the Union, 13 September 2017

FACTS & FIGURES



A posted worker is a worker who is sent by his / her employer to **work temporarily** in another country to provide a **cross-border service**.



The EU average duration of a posting is **less than 4 months**.



In 2015, there were **2.05 million posted workers** in the EU, accounting for 0.9% of total employment, or 0.4% in full-time equivalent.



The number of postings has **increased by 41% between 2010 and 2015**.



The Posting of Workers Directive is **in place since 1996**. It was the first Directive to restrict the possibility for companies to provide services across the Single Market by establishing a minimum set of social guarantees in the interest of workers.

FAIR LABOUR MOBILITY: COMMISSION TAKES ACTION

Since the start of its mandate, the Juncker Commission has made the fight against social dumping a priority and promoted fair labour mobility throughout the EU. As part of these efforts, the **Commission proposed a reform of the current rules** on posting of workers, which establishes **the principle of equal pay for equal work at the same place**, thus going significantly beyond the requirements of minimum remuneration of the existing directive.

Other elements of this reform include:



Rules set by universally applicable collective agreements become mandatory for posted workers in all economic sectors. Currently, this is only the case for the construction sector.



Today, there are no minimum or maximum limits to the duration of posting. Under the Commission's proposal, all labour law rules applicable to local workers will apply to posted workers after a certain duration.



New rules would apply to temporary agency workers to also ensure the principle of equal pay for equal work.

At the same time, the Commission has facilitated the implementation of the so-called “Enforcement Directive”, which entered into force in June 2016. This Directive gives **more powers to national authorities to combat cases of abuse**, such as “letter box companies”, and to coordinate their activities.

Other recent Commission initiatives to ensure fair mobility include:



Modernisation of [EU rules for the coordination of social security systems](#)



The launch of the [Electronic System of Social Security Information](#)



The proposal to set up a European Labour Authority

REFORM OF THE RULES ON POSTING OF WORKERS: STATE OF PLAY

The Commission presented its proposal to reform the rules on posting of workers on 8 March 2016. The Parliament is expected to finalise its position in October, and the Council is also expected to discuss its position at the meeting of Employment and Social Affairs Ministers on 23 October 2017. Discussions between the Parliament, the Council and the Commission will then be necessary to finalise an agreement on a revised Posting of Workers Directive.

