



**THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
8TH TERM**

668TH

RESOLUTION OF THE SENATE

Delivered on the 23rd session held on 14th June 2012

on the Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services /Senate Press no. N 158/08/

The Senate

I.

1. Supports

further facilitation of the free movement of services, which will allow businesses and consumers to better exploit the benefits of the Internal Market of the EU;

2. Recalls

that the liberalisation of services market in the EU should not take place at the expense of a decrease in the level of protection of work conditions;

II.

1. Requires

that compliance with the Directive is consistently verified, while it is particularly necessary to take action against the establishment of fictional company branches in other Member States with the aim of circumventing the requirements of labour-law protection of employees;

2. Supports

a more efficient use of existing information-sharing tools on the Internal Market, which shall raise the posted workers' awareness of their rights and of the opportunities to enforce these rights through judicial or other means;

3. Does not recommend

that the Directive regulate the ways of engagement of the trade unions and other organisations into labour-law disputes with regard to the posting of workers, because this issue is more efficiently dealt with on the national level;

4. Does not agree

with the establishment of the post of a contact person for negotiations with social partners;

5. Does not support

the provisions concerning the responsibility of the general contractor for his subcontractor's compliance with labour-law conditions;

III.

1. Requests

the Government to inform the Senate about the way this position was taken into account, and about further development of negotiations;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Josef Táborský
sign manual
Senate Verifier