

Commissioner Thyssen,
Employment, Social Affairs, Skills
and Labour Mobility

Cc: President Juncker,

cab-thyssen@ec.europa.eu

cc.

president.juncker@ec.europa.eu

[Letter sent by e-mail]

Re: Posting of workers – ETUC open letter

Dear Commissioner Thyssen,

I am writing to you to express our strong concerns about the use of the yellow card procedure with regard to the proposed revision of the Posting of Workers Directive. The European trade union movement takes the unanimous view that Member States seeking to block the principle of 'equal pay for equal work' are neglecting their own workers.

For many years, trade unions in the sending countries have found that their workers are being unfairly treated as second-class European citizens. Companies carry out a service abroad for a substantially lower price than local companies in receiving European countries, and posted workers do not receive a fair salary equal to workers in receiving countries, even though they are doing exactly the same work.

We are therefore seeking reassurance that you will not withdraw the current proposal, but that you will allow a democratic debate to take place in the course of a normal legislative procedure. The subsidiarity principle is fully complied with in the proposed revision, as only the EU can put in place fair rules of the game for the mobility of companies and workers in the single market.

The ETUC has previously announced its intention to work in cooperation with the EU co-legislators to seek to give the principle of equal pay its full meaning. This implies, in particular, respect for applicable collective agreements, the right of trade unions to bargain collectively on behalf of posted workers, and appropriate measures against the abusive use of posting.

The legislative process will also offer the opportunity to reassure all Member States and national social partners that national collective bargaining and wage-setting systems will be fully respected, according to a correctly interpreted principle of subsidiarity and proportionality.

We wish to confirm that all trade unions in Europe, including those in countries where parliaments have supported the yellow card procedure, are strongly in favour of the revision of the Posting of Workers Directive, and therefore join with the ETUC in encouraging the European Commission to maintain its proposal.

The situation is urgent and we are adamant that the debate must start without further delay. We are fully available to cooperate with you and the legislators to secure the best Directive possible at the end of this process, which must go ahead rapidly.

I look forward to your response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Luca Visentini', with a stylized, cursive script.

Luca Visentini
ETUC General Secretary