



## One year of ELA: EFBWW will re-submit ten cases of exploitation of posted workers

Today marks the first anniversary of the European Labour Authority (ELA). In its evaluation of one year of ELA activity, the European Federation of Building and Woodworkers (EFBWW) wants to express its concern about the ten cases of exploitation of posted workers submitted to ELA on 16 October 2019 together with the European Trade Union Confederation (ETUC). As these cases have not been solved, the EFBWW will re-submit them on ELA's 1<sup>st</sup> year anniversary.

EFBWW general secretary, Tom Deleu, said that "the ELA, launched a year ago by former EC president Jean-Claude Juncker, was a step in the right direction, but it needs a boost under the Von der Leyen commission. We urge ELA to become operational as soon as possible and to start with the investigation of the cases we submitted". The EFBWW strongly supports the ELA objectives of strengthening workers' rights, but deems it essential that it becomes fully operational. We are willing and want to be involved in achieving this goal so that workers are better protected.

### **The cases, which are typical for the widespread abuse of posted workers, include:**

- Posted workers being paid significantly less than local workers
- Holiday pay and sick pay being withheld
- Companies avoiding to pay social security contributions
- Companies that post workers, but that do not have economic activity in their own country.

The cases concern workers sent from Poland, Italy, Albania, Kosovo, Egypt, the Czech Republic, Bulgaria, Slovakia and Slovenia to work in Germany, Austria, Belgium and Denmark. A summary of all ten cases is published below.

Boosting ELA's activity is even more urgent in a pandemic context. COVID-19 exposed and worsened the vulnerabilities of posted workers, who work and live in places where no social distancing is possible. The fundamental principle of "equal pay for equal work in the same workplace" does not apply to many workers with precarious working conditions. For many posted workers, the so-called coordination of social security systems proved to be fiction. Isolation and precarisation, the lack of transparency, very limited access to information, consultation and assistance and reduced inspections is part of their reality. This is unacceptable.

Therefore, in parallel to ELA's actions, we demand from the European Commission:

- The ambitious and swift transposition of the Posting of Workers Directive (PWD) in all Member States with the active involvement of (sectoral) trade unions.

- Urgent initiatives to increase OH&S for posted workers, taking into account their specific working and living conditions.
- Interdiction to organise posting via intermediaries, such as temporary work agencies.
- An improved European system of cross-border social security to provide better social protection and fight cross-border social fraud.
- A fair European cross-border employment system with optimal cooperation between all national inspection services and trade unions.

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