



EFBWW welcomes infringement procedures against 24 Member States who did not adopt Posting of Workers Enforcement Directive

The EFBWW welcomes the infringement procedures of the European Commission against 24 Member States who fail to implement the Posting Enforcement Directive properly. However, it is of utmost importance to ensure that the EC does not treat national measures protecting workers as barriers to the provision of services.

The EFBWW General Secretary, Tom Deleu, underlines that the “EC should not attack Member States that proceed in providing new, efficient and effective enforcement tools, fighting cross-border social fraud and protecting posted workers”.

Construction accounts for at least 40 % of the postings in the European Union (EU). Construction is a fraud sensitive sector and posted workers – a growing number of them from 3rd countries – are particularly vulnerable to exploitation, unpaid wages, lack of social protection, bad accommodation, etc. Lately, the tragic accident in Antwerp, Belgium - where a school building under construction collapsed, killed five posted workers and severely injured nine - shows how urgently needed better protection for these workers is. Belgium is among the countries which are subject to the infringement procedure.

Before this background it is nothing less than a scandal that 24 out of 27 Member States do not protect posted workers as they are obliged to under European law. According to the Commission, Member States fail to grant workers their rights regarding:

- Fighting fraud and circumvention of rules;
- Access to information;
- Administrative cooperation between EU Member States;
- Control measures to monitor compliance with the rules on posting of workers;
- Protect posted workers from retaliation (unfavourable treatment by their employer in case they take legal or administrative action against the employer if their rights are not respected);
- Rights of posted workers in subcontracting situations are protected;
- Effective application and collection of administrative penalties and fines across EU Member States;
- Effective, proportionate and dissuasive penalties.

The EFBWW will follow the infringement procedures closely and calls on the Commission to be unyielding in the enforcement of posted workers' rights.

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The European Federation of Building and Woodworkers (EFBWW) is the European Workers' Industry Federation for the following sectors: building, woodworking, forestry and allied industries and trades. The EFBWW has 76 affiliated unions in 34 countries and represents a total of 2,000,000 members.