

**Revision of the Posting of Workers Directive
is not needed to ensure fair labour mobility**

Eurociett supports the principle of equal pay for equal work as defined by the EU Directive on temporary agency work to be applied to posted agency workers

8 March 2016, Brussels; Eurociett underlines that a revision of the Posting of Workers Directive as proposed today by the EU Commission is not needed. The focus should instead be on a complete transposition of the Enforcement Directive on the Posting of Workers.

In the case of posted agency workers providing for equal pay for equal work is already an option available to Member States under the Posting of Workers Directive (based on the current Article 3, paragraph 9 and Article 3, paragraph 1d). These are options, which Eurociett fully supports and which around 16 EU Member States already use.

The European Commission presented its long awaited legislative proposal on the Posting of Workers today. A key element of the proposed amendments to the current Directive is to establish the principle of “remuneration” comparable to the terms and conditions of the country in which the work is carried out, while specifying that for agency workers, the principle of equal pay pursuant to Article 5 of the Directive on temporary agency work shall also be applied to posted agency workers (proposed new paragraph 1b of Article 3).

“The agency work industry is a key driver of fair labour mobility in Europe, responding to the needs of companies and workers” said Denis Pennel, Eurociett’s Managing Director. “The posting of agency workers is a special case of labour mobility and the provision of services, which aims to address temporary skills needs. Eurociett supports the application of the principle of equal pay as defined in the EU Directive on temporary agency work to posted agency workers, including the option of derogations. Revision of the Posting of Workers Directive is therefore not needed to implement this principle as the current provisions of the Posting of Workers Directive already provide for that option.”

Labour mobility is a key pillar of the EU single market. It benefits both companies and workers by better matching demand and supply of labour and offering professional opportunities for workers. The agency work industry in Europe employs 4 million agency workers each day (full time equivalent) and 8,7 million people each year, with only a very small part of the agency workers involved in cross-border mobility and the posting of workers.

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