

VIOLETA BULC
Member of the European Commission

Brussels, 08. 03. 2017
JF

Mr Richard SULÍK
Member of the European Parliament
European Parliament
60, rue Wiertz
1047 Bruxelles

Dear Mr Sulík,

Thank you for your letter of 1 February 2017 in which you and your colleagues express concerns about the application of minimum wage laws of different Member States to the transport sector. I take good note of your request to take further steps to solve this important issue at stake.

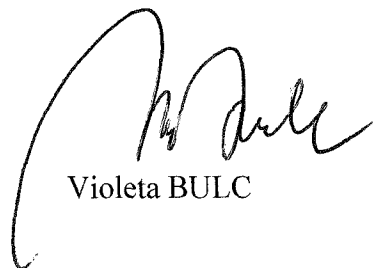
Please be assured that the Commission shares your concerns about the fragmented application of national minimum wage laws to the road transport sector, the respective enforcement measures taken by some Member States, and the resulting impacts on the functioning of the internal market for road transport and the freedoms guaranteed by the European Treaties. The Commission is making every effort to provide legal clarity on this important issue. In addition to the infringement procedures against Germany and France, the Commission is currently examining the Austrian legislation to assess its compatibility with EU law.

In the infringement cases against France and Germany, the Commission has raised, inter alia, the issues of unjustified restrictions to provide cross-border services, excessive administrative burdens imposed on foreign operators, and disproportionality of enforcement and control measures. Based on thorough assessment of the replies provided by the French and German authorities, which involves several Commission services, the Commission will soon decide on the next steps.

This question must also be seen in the context of the ongoing work on the revision of social rules applicable to the road transport sector. The Commission is considering options for possible measures to be proposed this spring with the aim of finding a balance between social protection for road transport workers and the freedom to provide cross-border services for transport operators.

For example, the Commission might propose a clarification of the application of posting conditions to road transport as well as looking for effective enforcement measures that do not impose disproportionate administrative burdens on companies operating in the sector or on their workers.

Yours sincerely,



Violeta BULC