



Members of the European Parliament

**LETTER OF THE ORGANISATIONS FROM THE ALLIANCE FOR THE FUTURE
OF TRANSPORT ON THE SOCIAL ASPECTS OF THE MOBILITY PACKAGE**

2 JULY 2018

Organisations from the Alliance for the Future of the Transport - Transport and Logistics Poland (TLP), the Lithuanian National Road Carriers' Association Linava, Romanian Association for International Road Transport ARTRI, Association of Croatian Road Carriers, Chamber of Commerce and Industry of Slovenia, Chamber of Craft and small business of Slovenia and Federation of National Private Transporters - NiT Hungary - hereby call you to support the most European branch of industry - international road transport.

Exclude transport from posting of workers model.

Posting of workers is artificial in the international road transport and will not improve the living and working conditions of drivers. It will endanger them.

Your decision may limit the possibility of operating in the European Union of the employers and employees from so called peripheral member states. It is the geography not only nationality that may divide Europe once again.

We draw your attention, once again to the following:

- 1) posting of workers is not an appropriate model for work for international drivers due to the highly mobile nature of their work.

International transport operations and transit should be directly excluded from posting model as they relate to temporarily services in different member states without modification of the life centre of the employee. It will also lead to significant legal uncertainty for employees in the aspect of their future retirement. Initial proposal of partial exception (3 day rule) is a seeming not only due to its limited nature (exception only to remuneration and holidays) but it imposes an artificial calculation of day of work. Each 5 minutes in a given member states is already a half day of work as well as any and all rest periods. In fact, based on such calculation one day travel could constitute a three days of posting?

- 2) proper infrastructure for the international transport of goods, suitable for the needs of drivers (full social facilities, safe parking areas) is a real answer to the question of the working conditions of drivers.

It is a crucial necessity as well as an obligation of the member states to reconsider the local infrastructure policy. It should be highlighted that without proper infrastructure the obligations related to ban on weekly rest out of cabin will remain ineffective by fact.

- 3) EU legislator should avoid any legal solutions that limit the activity of employers from certain member states just due to their geographical position. In consequence, both the nature (right or obligation) and regularity of return home should be further discussed to eliminate the discrimination of the peripheral member states operators;

The Alliance supports the idea of unification and simplification of the law applicable to the road transport sector, however we underline once again the above-mentioned key aspects that need to be taken into consideration, if an improvement of social conditions in the transport sector, exchange of goods and free movement of services constitute a value in the EU.

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