

## Construction SMEs make proposals to improve revision of posted workers legislation

**Brussels, 28<sup>th</sup> September 2016** – The European Builders Confederation EBC – representing small and medium construction companies at European level – welcomes the decision of the European Commission to move forward with the proposed revision of the posted workers directive. Today EBC released its position on posted workers on the occasion of a conference on “[Towards a fairer labour mobility within the EU](#)” organised by the European Economic and Social Committee. The position was also presented to co-rapporteur MEP Elisabeth Morin-Chartier.

EBC President Patrick Liébus said “More than 40% of all posted workers in the European Union are in construction. This is putting many small construction companies at risk. It creates unfair competition among companies that work in the same country but do not play by the same rules. Local jobs in companies respecting social security and labour legislation are under high pressure. In some cases – such as Belgium – they are already disappearing. Competition should be based on innovation and specialisation, not just on downwards salary divergence!”

The situation in the Internal Market now is very different from 20 years ago, when the first directive was approved. At that time the average salaries in some Member States were up to 3 times higher than in other Member States. Today that gap has increased to ten times higher. This gap becomes crucial when such a large disparity in workers’ salaries occurs in the same country – as it is the case of posted workers.

EBC hopes that this revision will be the occasion to tackle the problems linked to posting and preserve the fundamental rights of freedom of movement. To this end EBC put forward its suggestions on:

- **Duration of posting:** EBC proposes removing the limit of 6 months for posting activities, which is usually too long for construction activities. It should be up to the European sectoral social partners to fix the period according to the needs of their sector. Moreover, posted workers should be employed by the construction company at least 6 months before starting any posted activity in another country, to avoid bogus contractual relations.
- **Levels of remuneration:** as in some countries salary ranges are not settled at national level but at regional or local levels, EBC proposes the inclusion of agreements set at sub-national level.
- **Temporary work agencies:** EBC believes temporary work agencies should be excluded from the provision of posted workers, as they have had a disruptive effect, by creating a parallel market of interim workers hired ad-hoc just for posting purposes.

*\*Ends\**

### [Links](#)

Read our position paper on the [proposed revision of the posted workers directive](#)

### **Note to editors**

Established in 1990, the European Builders Confederation - EBC - is a European professional organisation representing national associations of micro, small and medium-sized enterprises working in the construction sector. EBC sits on the European Social Dialogue Committee of Construction. EBC is a member of UEAPME (the European association of micro-enterprises and SMEs), on behalf of which it chairs the UEAPME Construction Forum.

The construction sector is of vital importance to the European economy. With 3 million enterprises and a total direct workforce of 18 million, the construction sector contributes at around 9% to the GDP of the European Union.

99.9% of the European construction sector is composed of small and medium-sized companies, which produce 80% of the construction industry's output. Small enterprises (less than 50 employees) are responsible for 60% of the production and employ 70% of the sector's working population.

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