



LINPRA



Teknikföretagen
The Association of Swedish Engineering Industries



zvei
electrifying
ideas

DIE METALLTECHNISCHE INDUSTRIE

sercobe
SPANISH NATIONAL
ASSOCIATION
OF MANUFACTURERS
OF CAPITAL GOODS



Technology Industries
of Finland



18 December 2023

Mr Thierry Breton
Commissioner for Internal Market
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

Mr Nicolas Schmit
Commissioner for Jobs and Social Rights
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

RE: Industry coalition calls for a fully functioning Internal Market in the area of posting of workers

Dear Commissioner Breton,
Dear Commissioner Schmit,

The Internal Market is one of the biggest achievements of the EU. A prerequisite for this is a frictionless Internal Market – not just for goods and capital but also for workers and services. No purchase of products in the areas of mechanical engineering, electrical engineering, electronics, ICT and metal technology is possible without their installation, operationalization, servicing and maintenance. This explains why in our export-oriented sectors highly qualified specialist workers, who are not suspected of being involved in

social dumping, are active on a daily basis in cross-border postings in the EU, be it for advisory meetings, assembly, maintenance or repair work at customers' premises, or to attend trade fairs, or conferences. These posted workers can also play an important role in the green transition with their specific knowledge of advanced technologies and digital solutions.

However, there is no well-functioning Internal Market in the area of posting of workers. Presently, different reporting obligations apply in the 27 EU Member States for the posting of workers abroad that lead to extreme bureaucracy and high costs, in particular for SMEs. In addition, numerous EU Member States demand a compulsory contact in the country for the duration of the posting. Companies that do not have a branch office have to purchase external services for this purpose. Moreover, many documents (such as a pay slip and work contract) must be taken with the posted worker in the national language of the host country. This obligation also leads to unnecessary administrative pressure. At the same time, the application of the complete labor legislation to postings leads to legal uncertainty. It is in our view easier in many cases to post a technician to the United States than to an EU Member State.

Therefore, we urge the European Commission and the 27 Member States to establish a fully functioning Internal Market in the area of posting of workers. One possible way to achieve this is via the implementation of a common form in electronic format to facilitate posted workers declarations. This so-called eDeclaration, which was already announced in May 2021 by the European Commission, should be possible in all 27 Member States and should become a reality as soon as possible. This will significantly reduce the reporting obligations, which is also an objective of the current European Commission.

Sincerely yours,

ANIMA Confindustria Meccanica Varia - Italy

Associação dos Industriais Metalúrgicos, Metalomecânicos e Afins de Portugal (AIMMAP)

Association of Mechanical Engineering and Metalworking Industries of Latvia (MASOC)

Association of Swedish Engineering Industries (Teknikföretagen)

Engineering and Technology Industries Association of Lithuania (LINPRA)

Fachverband Metalltechnische Industrie (FMTI) - Austria

FEDIL Metal - Luxembourg

Hungarian National Association of Machinery and Power Engineering Industries (MAGEOSZ)

Spanish National Association of Manufacturers of Capital Goods (SERCOBE)

Technology Industries of Finland

Verband der Elektro- und Digitalindustrie (ZVEI) - Germany

Verband Deutscher Maschinen- und Anlagenbau (VDMA)