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## EUROPEAN COMMISSION MOBILITY PACKAGE – A BLOW TO ENFORCEMENT AND TO DRIVERS' WORKING AND LIVING CONDITIONS

### PRELIMINARY STATEMENT BY THE ETF

Today the European Commission launched the much expected mobility package containing among others legislative proposals for road transport on: driving and rest time, posting of workers, digital tachograph, cabotage and access to occupation.

Based on the measures disclosed so far by the European Commission at the press conference, the European Transport Workers' Federation considers that the mobility package brings up a mix of window dressing proposals, in as much as they absolve road transport operators of any responsibilities while failing to come up with answers to the critical social and labour situation in the sector.

**With regard to posting of workers and its application to road transport**, as announced at the today's press conference, the European Commission proposes the temporary exclusion of professional drivers for 3 days from the scope of Directive 96/71/EC. The position of the ETF is clear: any temporary exclusion will not make rules clearer, simpler to apply and more enforceable. This will only postpone by 3 days the application of the minimum wage to drivers carrying out their work on a territory of another Member State, thus leaving an open door to abuses, distortions and unfair competition based on labour cost differentials. The enforcement measures proposed by the European Commission in relation to this posting solution are toothless, compared to the simple and effective solutions proposed by the ETF, among which the early mandatory equipment of all vehicles engaged in international transport with a 'smart' tachograph.

With regards to **cabotage**: pointless to change the rules without introducing tighter enforcement measures! And this is precisely what the European Commission does, and respectively doesn't do: proposing a new cabotage definition with no additional, stronger enforcement. The problem with the current cabotage rules is the so called 'chain' cabotage, notably the practice whereby hauliers engage in repetitive international journeys (with loads such as pallets, etc.), to then qualify for as many cabotage 'slots' as possible. It is precisely this problem that the European Commission should have dealt with in its proposal, but in their usual way they somehow failed to spot the real problem and properly address it. In addition, two years ago, Commissioner Bulc gave guarantees that illegal cabotage will be included in the list of serious infringements leading to the loss of good repute. One more broken promise? Business as usual?

With regard to **access to occupation** – also referred to as the letter-box company regulation – and the **inclusion of light goods vehicles within the scope of certain EC rules**, the ETF will take time to discuss the proposal with our experts in order to come up with a well-articulated opinion, in its usual manner.



President Frank Moreels

General Secretary Eduardo Chagas

Vice Presidents Alexander Kirchner  
Ekaterina Yordanova



With regard to the **proposed modifications to the driving and rest time** and the **'smart' tachograph** regulations, the ETF will come up with a statement soon after the latest European Commission texts are made available on its website.

With the elements we so far have, not only that this set of proposals proves socially unfair, but this package also legalises practices connected to exploitation of cheap labour, shifting key responsibilities from road transport operators to the drivers. The European Commission broke its promises with regard to its fight to social dumping, to promoting equal pay for equal work of equal value and many more.

The ETF will continue its information campaign among trade union and drivers and will spare no energy to organise action in order to bring our voice to the Brussels Institutions. Drivers' concerns not being taken into account will place Social Europe under question and will only weaken people's confidence in the European Union.

The ETF will continue to forge alliances with organisations with an interest in road and passenger safety in order to flag concerns related to the impact of driving and rest time on safety of driver, passenger and other road users.

To conclude, in December 2014, at its first meeting with Commissioner Bulc, the ETF was asked to come up with concrete constructive solutions to fix the problems in the road transport sector i.e. the social dumping practices, the letter-box companies, etc. The ETF **launched two sets of concrete proposals** in this direction, on law enforcement in 2015 and on cabotage and eradication of letter box companies in 2016. **None of these proposals have been taken into account so far!**

*Brussels, 31 May 2017*



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