

Free movement of workers: measures facilitating the exercise of rights conferred on workers

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The Committee on Employment and Social Affairs adopted the report by Edit BAUER (EPP, SK) on the proposal for a directive of the European Parliament and of the Council on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.

The committee recommended that Parliament's position adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Scope: the proposed directive aims to facilitate uniform application and enforcement in practice of rights on freedom of movement for workers within the Union, **including frontier workers**, without discrimination based on residence.

Members clarified that the directive must apply to the **following aspects of the free movement of workers**:

- conditions of employment and work, in particular as regards remuneration, dismissal and health and safety at work;
- conditions of reinstatement or reemployment;
- membership of trade unions, bodies responsible for collective bargaining and collective measures, and other work-related bodies;
- access to training and further training;
- access to education, including early childhood education;
- access to public employment services, including those that are privately-provided;
- benefits and programmes intended to foster integration and mobility.

Remedies for victims of discrimination: the committee specified that workers initiating judicial or administrative proceedings shall not receive any unfavourable treatment by their employer as a consequence of such action. It also **strengthened the role of the social partners** (NGO's, associations, trade unions) in supporting such victims in any judicial or administrative procedure.

Structures and bodies promoting equal treatment: Member States shall designate one or more structures or bodies for the promotion, analysis, monitoring and support of equal treatment and shall **ensure that all workers have access to those bodies**. The competences of these bodies must include: the provision of independent assistance provided free of charge, **covering all the relevant aspects of national labour law**, to workers or the members of their family in pursuing their complaints, and **informing young graduates** and students in their final year of their education, of their rights when working abroad.

Improve cooperation on and information to workers: the committee asked that Member States :

- provide, **through national contact points**, clear, free, easily accessible, comprehensive, up-to-date and multilingual information on the rights conferred by Union law concerning the free movement of workers and on available means of protection and redress for those rights.
- ensure that existing or newly created bodies are aware of the existing information and assistance services at national level through contact points and at Union level, such as Your Europe, SOLVIT, EURES, Enterprise Europe Network, the Points of Single Contact and the European network of national contact points, and that they cooperate with them;
- ensure **cooperation with existing information and assistance services** provided by social partners, associations, organisations and other relevant interested legal entities, such as labour inspectorates, where applicable.
- provide, upon request, clear, easily accessible, comprehensive and up-to-date information on the rights on free movement of EU workers to its own citizens who wish to enjoy the right to freely move to another Member State.

Report: in its report on the implementation of the regulation, Commission shall pay extra attention to possible difficulties young graduates encounter when moving across the Union, whether on a permanent or temporary basis. It shall also analyse the particular difficulties that third-country spouses of workers encounter.