

Employment conditions in road transport

Road transport is an important economic sector in Europe, employing about 5 million people across the EU. Given its international character and the varying employment conditions – including minimum wages – in the Member States, the Committee on Employment and Social Affairs of the European Parliament has tabled an oral question asking the Commission how EU and national law on employment conditions is applicable to workers in this sector when they are providing services through or in another Member State. The Commission is also asked what measures it intends to take to protect the social rights of such workers.

Social dimension of the road transport market

Since the 1990s, European road transport has been liberalised to guarantee the free movement of goods and services as an important pillar of the Single Market. Social standards concerning working conditions for drivers have been harmonised at EU level to accompany this liberalisation with the necessary social dimension. However, according to the subsidiarity principle, most areas of social policy are governed by the Member States, resulting in employment conditions such as [minimum wages](#) varying across the European Union. In its 2014 [report](#) on the state of the Union transport market, the Commission states the risk that the non-harmonisation of cost structures, in particular of wages, might lead – because of competitive pressure – to non-compliance with social rules. Such practices can in consequence present risks for road safety, a vital objective of European transport policy.

European social framework

Regarding road transport, legislation has been adopted at EU level to ensure fair competition among road transport undertakings, and to harmonise working conditions with the objective of improving social and safety standards for workers. For this purpose EU legislation provides both a sector-specific and a general framework.

Sector-specific provisions have been established, for instance, to harmonise [driving time](#) and [rest periods](#), [working time](#), [implementation](#) rules and the use of the [tachograph](#), a device that records the driving time, breaks and rest periods, as well as periods of other work undertaken by a driver.

The general framework at EU level is set by the applicable EU rules on labour and social legislation, such as provisions regarding coordination of social security systems. Particularly relevant are the [Posting of Workers Directive](#), protecting the rights and core employment conditions of workers temporarily posted abroad, as well as the articles of the [Rome I Regulation](#) applicable to individual employment contracts and governing the law which is to apply.

Current debate on minimum wages

On 1 January 2015, Germany introduced a statutory minimum wage of €8.50 per hour which applies to all economic sectors including all road transport operations. According to the legislation, a foreign transport company has to pay the German minimum wage for the time a truck-driver spends in Germany, including international transport, cross-border trade and transit operations. The foreign company is also subject to administrative obligations for recording and reporting, and to a fine if the driver is not paid accordingly.

On 21 January 2015, the Commission opened a structured dialogue with Germany, a so-called [EU pilot](#), which is a preliminary procedure to clarify whether national legislation complies with EU law, i.e. in this case whether the German minimum wage law hinders free movement of goods and services. If such a dialogue does not result in an agreement the Commission can launch a formal infringement procedure. On 30 January 2015, Germany suspended the application of the minimum wage law to transit operations.