

**Question for written answer E-000430/2015
to the Commission**

Rule 130

Stanisław Ożóg (ECR), Zbigniew Kuźmiuk (ECR) and Janusz Wojciechowski (ECR)

Subject: Actions by the German authorities affecting haulage firms from outside Germany

The minimum wage law which came into effect in Germany on 1 January 2015 is applicable to all employees throughout the period in which they are employed in Germany, regardless of whether their employer is based in Germany or elsewhere. Haulage firms from outside Germany are being hit hard by the effects of the new law. This is particularly the case in Poland, which has the second largest HGV fleet in the EU. In practice, every haulage firm whose lorries pass through German territory has to pay its drivers a wage that meets the German requirements. The new German rules also increase the amount of red tape that firms have to deal with: they have to submit 'operations schedules' and other transit documentation, for example. There are tough fines if such documentation is not provided.

The legislation is the source of much controversy and concern. It breaches EU law on a number of levels, in particular Directive 96/71/EC concerning the posting of workers in the framework of the provision of services.

In this connection:

1. Does the Commission believe that the aforementioned German legislation breaches EU law?
2. Is the Commission aware of the threat that the legislation poses to the operations of haulage firms from outside Germany?

Will action be taken to force the German authorities to repeal these damaging rules? If so, when, and what action will be taken?