

**Question for oral answer O-000083/2016
to the Commission**

Rule 128

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on behalf of the ECR Group

Subject: Germany's law on the minimum wage and the infringement procedure

Under the German Minimum Wage Act (the so-called 'MiLoG'), as of 1 January 2015 the minimum hourly rate for an employee active within the territory of Germany cannot be less than EUR 8.50. This is applied also to transport sector employees of employers based outside Germany, such as hauliers who are employed by a non-resident employer and transit through German territory, or in the case of cross-border and cabotage transport operations. In addition, excessive registration, control and reporting obligations were introduced that go far beyond what is necessary, impose extra costs and a disproportionate administrative burden, and do not allow transport undertakings from other Member States to operate in the EU internal market.

The Commission launched an infringement procedure against Germany in May 2015. However, one year on from the launch of the said procedure, there is no further clarity and no tangible results have been seen.

Moreover, French authorities have recently published guidance for the application of the so-called 'Loi Macron', stating that as of 1 July 2016 foreign-based drivers must receive the French minimum wage and foreign operators must designate a representative in France.

1. What is the current state of play regarding this infringement procedure? What are the next steps and further actions planned by the Commission, and what time-frame is envisaged for these next stages?
2. Has the Commission received the answers required from the German Government clarifying and justifying the German Minimum Wage Act?
3. When and how is the Commission going to align this situation with European law and put an end to the current legal uncertainty, thus pursuing the aim of maintaining economic freedoms in the EU, including those which enable European companies and workers to operate freely within the EU single market?

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