

**Question for oral answer O-000002/2019
to the Commission**

Rule 128

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Subject: Breaches of the rights of children whose parents work in Austria

Last year the Austrian Parliament adopted a normative act under which childcare allowances for foreign workers whose children do not reside together with them in Austria need to be adjusted in accordance with the provisions of their country of origin. This measure would lead to a substantial reduction from 1 January 2019 in allowances paid for children residing in eastern Europe. European workers must have equal rights, the Commission must no longer tolerate discriminatory actions that affect the idea of unity and solidarity at European level and that could strengthen belief within the Union in the existence of first- and second-class citizens.

Replying to a question on this topic, Marianne Thyssen the European Commissioner for Employment, Social Affairs, Skills and Labour Mobility, stated that: 'European Union Regulations on the coordination of social security systems envisage common rules for the payment of family benefits for workers who are employed in another Member State. Under these rules, mobile workers are entitled to the same child allowances as local workers, regardless of the place of residence of their children. The Commission will examine the measures taken by Austria in terms of their compatibility with the EU law, whether and when they are adopted and applied. The Commission recalls that the Treaty prohibits any form of direct or indirect discrimination against workers on the grounds of nationality.' In view of the above:

1. Is the Commission aware of the measure adopted by the Austrian authorities to reduce childcare benefits and personal income tax benefits for foreign workers that are EU citizens and whose children reside in another Member State, from 1 January 2019?
2. What is the opinion of the Commission regarding the compatibility of the new Austrian legislation on the indexation of childcare benefits with EU law?
3. What measures does the Commission intend to take in response to the violation of the EU rights of these workers and of their children?
4. If the Commission plans on taking steps, how will it proceed in a timely manner, taking into account the fact that many families are currently facing financial difficulties as a result of the Austrian measures?

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Deadline for reply: 29.1.2019