Priority question for written answer P-000809/2020
to the Commission
Rule 138
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Subject: Legal basis for minimum wage legislation

Commission President Ursula von der Leyen has announced that the Commission will be proposing a legal instrument to bring in a fair minimum wage for all workers in the EU.

A College of Europe research paper ¹ makes the point, however, that the Commission does not have the authority to introduce wage legislation under Article 153(5) TFEU.

1. What legal basis will the Commission use in order to propose a fair minimum wage?

2. If the Commission does take Article 153(5) TFEU as the legal basis, how does it think that will be compatible with the wording of the article, which reads: ‘5. The provisions of this Article shall not apply to pay, the right of association, the right to strike or the right to impose lock-outs.’ ²