



**2015/2349(INI)**

28.6.2016

# **AMENDMENTS**

## **1 - 90**

**Draft opinion**

**Elena Gentile**

(PE583.967v01-00)

on new opportunities for small transport businesses, including collaborative  
business models  
(2015/2349(INI))



**Amendment 1**  
**Sven Schulze**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. whereas technological advances, new business models and digitalisation have transformed the transport sector significantly in recent years, with major impacts on working conditions and employment in the sector;

*Amendment*

A. whereas technological advances, new business models and digitalisation have transformed ***and opened up*** the transport sector significantly in recent years, with major impacts on ***traditional business models and*** working conditions and employment in the sector;

Or. de

**Amendment 2**  
**Laura Agea, Tiziana Beghin**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. whereas technological advances, new business models and digitalisation have transformed the transport sector significantly in recent years, with major impacts on working conditions and employment in the sector;

*Amendment*

A. whereas technological advances, new business models and digitalisation have transformed the transport sector significantly in recent years, with major impacts on working conditions and employment in the sector; ***whereas the economic crisis and labour market deregulation have further worsened working conditions in many Member States;***

Or. it

**Amendment 3**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

*Aa. whereas the Commission in its Communication on ‘A European agenda for the collaborative economy’ (COM 2016/356) points out that flexible work arrangements in the collaborative economy create uncertainty as to applicable rights and the level of social protection and that the boundaries between self-employed and workers are increasingly blurred; whereas the Commission advocates for a case by case assessment regarding the existence of an employment relationship based on the existence of a subordination link, the nature of work and the presence of remuneration;*

Or. en

**Amendment 4**  
**Sven Schulze**

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

*Aa. whereas only 1.7 % of EU enterprises make full use of advanced digital technologies, while 41 % do not use them at all; whereas the digitalisation of all sectors is crucial to maintain and improve the EU’s competitiveness;*

Or. de

**Amendment 5**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Recital A a (new)**

*Draft opinion*

*Amendment*

***Aa. whereas SMEs play a special role in job creation in the transport sector, particularly in road transport, and whereas they are in a weaker position in terms of access to finance for essential investments, including loans and support from European funds;***

Or. pl

**Amendment 6  
Marian Harkin**

**Draft opinion  
Recital A a (new)**

*Draft opinion*

*Amendment*

***Aa. whereas the flexibility and ease of entry inherent in the collaborative economy can provide employment opportunities for groups traditionally excluded from the labour market in particular women, young people and migrants;***

Or. en

**Amendment 7  
Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion  
Recital A a (new)**

*Draft opinion*

*Amendment*

***Aa. whereas, in the absence of relevant statistics, it is difficult to gain a clear picture of the situation of small transport businesses in Europe;***

Or. fr

**Amendment 8**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Recital A b (new)**

*Draft opinion*

*Amendment*

***Ab. whereas the European sectorial social partners are concerned about unfair competition on intra-city mobility markets due to the emergence of ‘ride-sharing for reward platforms’ which are often associated with unfair competition due to the avoidance of tax payments and social security contributions as well as the circumvention of employment and social standards;***

Or. en

**Amendment 9**

**Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion**

**Recital A b (new)**

*Draft opinion*

*Amendment*

***Ab. whereas small transport businesses can take a variety of forms, ranging from family businesses to start-ups, micro enterprises and one-person businesses;***

Or. fr

**Amendment 10**

**Sven Schulze**

**Draft opinion**

**Recital A b (new)**

*Draft opinion*

*Amendment*

***Ab.*** *whereas transport services can provide a good way of becoming self-employed and promote a culture of entrepreneurship;*

Or. de

## **Amendment 11**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Recital A c (new)**

*Draft opinion*

*Amendment*

***Ac.*** *whereas according to recent findings there is a tendency to shift the responsibility for social security payments and employment benefits in the transport sector to subcontractors and self-employed drivers; whereas there is a risk that self-employed drivers are pushed into precarious working conditions, while bogus self-employment expands at the same time <sup>1a</sup> ;*

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***<sup>1a</sup> Report commissioned by the European Commission on the State of the EU Road Haulage Market (2014), Task A: Collection and Analysis of Data on the Structure of the Road Haulage Sector in the European Union (3 February 2014); on <http://ec.europa.eu/transport/modes/road/studies/doc/2014-02-03-state-of-the-eu-road-haulage-market-task-a-report.pdf>***

Or. en

## **Amendment 12**

**Sven Schulze**

**Draft opinion**  
**Recital A c (new)**

*Draft opinion*

*Amendment*

**Ac.** *whereas online platforms for transport services can meet the individual labour requirements of a registered worker immediately and smoothly;*

Or. de

**Amendment 13**  
**Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion**  
**Recital A c (new)**

*Draft opinion*

*Amendment*

**Ac.** *whereas small transport businesses need to take advantage of the digital revolution;*

Or. fr

**Amendment 14**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**  
**Recital A d (new)**

*Draft opinion*

*Amendment*

**Ad.** *whereas the use of light goods vehicles (LGVs) is expanding; whereas LGVs are exempted from EU regulations such as tachograph rules, access to occupation as well as drivers' training and qualification; whereas this constitutes a challenge for road safety, fair competition and occupational health and safety;*



**Amendment 15**  
**Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion**  
**Recital A d (new)**

*Draft opinion*

*Amendment*

*Ad. whereas the various public subsidies available for businesses, at both European and national level, are not always easy to access, and whereas the time frames involved are ill-adapted to innovation cycles;*

Or. fr

**Amendment 16**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**  
**Recital A e (new)**

*Draft opinion*

*Amendment*

*Ae. whereas the OECD considers good-quality jobs an essential factor to tackle high inequality and promote social cohesion <sup>1b</sup> ;*

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*<sup>1b</sup> Presentation by Mark Pearson, Deputy Director, OECD Directorate for Employment Labour and Social Affairs at the EMPL-ECON hearing on inequalities on 21 June 2016; on <https://polcms.secure.europarl.europa.eu/cmsdata/upmloas/e54ad36f-29cb-4c77-a9c7-2e4e2858fe55/Microsoft%20-%20Inequality%20OECD%20Pearson.pdf>*

Or. en

**Amendment 17**  
**Paloma López Bermejo**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need *for a regulatory environment that encourages* investment and access to *financing, and fosters* sustainable growth and quality jobs within small transport businesses;

*Amendment*

1. Stresses the need *to encourage* investment and access to *finance, while ensuring* sustainable growth and quality jobs within small transport businesses;

Or. en

**Amendment 18**  
**Sven Schulze**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and *quality* jobs within small transport businesses;

*Amendment*

1. Stresses the need for a *positive* regulatory environment that encourages investment and access to financing, and fosters sustainable growth and jobs within small transport businesses;

Or. de

**Amendment 19**  
**Marian Harkin**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters

*Amendment*

1. Stresses the need for a *proportionate* regulatory environment that encourages investment and access to

sustainable growth and **quality** jobs within small transport businesses;

financing, and fosters sustainable growth and **decent** jobs within small transport businesses;

Or. en

**Amendment 20**  
**Romana Tomc**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

*Amendment*

1. Stresses the need for a **suitable** regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

Or. sl

**Amendment 21**  
**Deirdre Clune**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

*Amendment*

1. **Welcomes the communication from the Commission to the Member States on guidelines for employment situations in the collaborative economy;** stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

Or. en

**Amendment 22**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

*Amendment*

1. Stresses the need for a regulatory ***and administrative*** environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

Or. en

**Amendment 23**  
**Laura Agea, Tiziana Beghin**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses;

*Amendment*

1. Stresses the need for a regulatory environment that encourages investment and access to financing, and fosters sustainable growth and quality jobs within small transport businesses; ***points out that investment programmes such as the EFSI regrettably cannot have a positive long-term impact on employment levels;***

Or. it

**Amendment 24**  
**Sven Schulze**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Welcomes the emergence of the***

*collaborative economy with more flexible forms of work and the new opportunities it offers for workers to earn additional income; notes that the collaborative economy is an important tool in the fight against underemployment and unemployment; calls on the Commission and Member States to promote the development of the collaborative economy and to provide a stable legal framework for its further development;*

Or. de

**Amendment 25**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

*1a. Calls on the Commission and the Member States, in cooperation with the social partners, to regularly assess the impact of digitalisation on the number and types of jobs in the transport sector and to ensure that employment and social policies keep pace with the digitalisation of the transport labour market;*

Or. en

**Amendment 26**

**Marian Harkin**

**Draft opinion**

**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

*1a. In this regard encourages Member States to establish minimum thresholds to differentiate between economic activity which can be considered non-professional*

*peer-to-peer activity and professional service provision;*

Or. en

**Amendment 27**  
**Dieter-Lebrecht Koch**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

*1a. Calls on the Commission, bearing in mind collaborative business models, to help create fair and transparent conditions of competition in the transport sector;*

Or. de

**Amendment 28**  
**Paloma López Bermejo**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Notes the *opportunities* of the collaborative economy and the Digital Single Market *for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;*

2. Notes the *developments in small transport businesses under the umbrella* of the collaborative economy and the Digital Single Market; *stresses, however, that the notion of ‘collaborative’ business models or ‘digital’ services should not be used to describe the use of digital resources to provide traditional services while circumventing existing regulations, including avoidance of tax and social contributions and non-compliance with employment and social legislation; calls, in this respect, to ensure that existing regulation is enforced so that the digital race does not lead to a race-to-the-bottom in social standards;*

*expresses, in this regard, its concern on the effects of platforms such as Uber in the deterioration of working conditions and small business incomes in the taxi sector;*

Or. en

**Amendment 29**  
**Romana Tomc**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; stresses, *however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;*

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; Stresses *that, irrespective of the type of economy, all market operators must fully comply with tax rules and with social and labour legislation;*

Or. sl

**Amendment 30**  
**Sven Schulze**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for *job* creation and more inclusive growth within small transport businesses; stresses, *however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;*

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for *the creation of jobs with a relatively low entry threshold* and more inclusive growth within small transport businesses; stresses the *high transparency potential of the collaborative economy through the simplified technical traceability of the transport services*

*provided in the collection of* tax and social contributions; *stresses that the collaborative economy players must not infringe* employment and social legislation;

Or. de

**Amendment 31**  
**Enrico Gasbarra**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, *nor* to non-compliance with employment and social legislation;

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses, *accessible, innovative and shared*; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, to non-compliance with employment and social legislation *or to a lack of proper rules and regulations protecting the rights and interests of end-users*;

Or. it

**Amendment 32**  
**Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital *Single Market* for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an

*Amendment*

2. Notes the opportunities of the collaborative economy and the digital *revolution* for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an



avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

Or. fr

**Amendment 33**  
**Notis Marias**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and *more* inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

Or. el

**Amendment 34**  
**Laura Agea, Tiziana Beghin**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; *voices concern, nonetheless, at the lack of common ground, which could hamper full implementation of the Digital Single Market*; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment

and social legislation; ***recommends that the utmost transparency should be maintained in this connection and that inspections should be carried out to ensure that the rules are being followed, with appropriate penalties being imposed on anyone failing to do so;***

Or. it

**Amendment 35**  
**Kosma Zlotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation; ***stresses the need for a legal definition which clearly sets out the responsibilities in terms of rights and obligations in the area of employment and social security of workers employed by operators in the collaborative economy;***

Or. pl

**Amendment 36**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes the opportunities of the collaborative economy and the Digital

*Amendment*

2. Notes the opportunities of the collaborative economy and the Digital

Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation;

Single Market for job creation and more inclusive growth within small transport businesses; stresses, however, that the collaborative economy must not lead to an avoidance of tax and social contributions, nor to non-compliance with employment and social legislation; *calls on the Commission to publish guidelines on how EU law applies to the various types of collaborative business models in order to eliminate regulatory uncertainty;*

Or. en

### **Amendment 37**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

#### **Draft opinion**

#### **Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Stresses that developments regarding collaborative business models in the transport sector should be addressed in the context of a broader debate on fair competition and fair transport for all;*

Or. en

### **Amendment 38**

**Sven Schulze**

#### **Draft opinion**

#### **Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Points to the relatively low barriers to beginning a career in the transport sector and its great potential therefore in combating long-term unemployment;*

Or. de

**Amendment 39**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

***2b. Notes concerns that new business and employment models, such as ‘ride-sharing for reward platforms’, agency work, zero-hour contracts or pay-to fly schemes, are implemented in the transport sector without any proper impact assessment regarding safety as well as social and employment standards; stresses that all transport service providers, including the ones from the collaborative economy, need to comply with the required health and safety provisions and should be bound by minimum safety and registration standards such as licences for drivers and pilots as well as transport certificates;***

Or. en

**Amendment 40**  
**Sven Schulze**

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

***2b. Calls on the Member States to implement and enforce all national laws and regulations relating to online transport service platforms;***

Or. de

**Amendment 41**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Paragraph 2 c (new)**

*Draft opinion*

*Amendment*

*2c. Notes that the number of part-time workers, agency workers and self-employed persons in the transport sector has increased and that the general trend is towards more flexible employment contracts which in some circumstances can cause precarious employment without adequate protection for employees; notes that new, flexible employment contracts must exclude potential risks such as worker overload or pay levels that are not commensurate with performance; stresses therefore the need for labour market flexibility on the one hand and for the economic and social security for workers on the other; stresses that lowering labour costs by reducing working conditions and employment standards should not be considered as flexibility;*

Or. en

**Amendment 42**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**

**Paragraph 2 d (new)**

*Draft opinion*

*Amendment*

*2d. Stresses the importance of monitoring compliance with mandatory driving and resting times as well as working hours in the transport sector; believes that monitoring should take place by means of digital monitoring devices installed in vehicles; recalls that Regulation (EU) No 165/2014 on tachographs in road transport does not*

*apply to vehicles of less than 3.5 tonnes (LGVs); calls therefore for checks on working and rest times to be stepped up; recalls that all tasks in relation to the activity of an employee are to be considered working time; stresses likewise the importance of monitoring compliance with European and national legislation regarding the protection of health and safety at work, including conditions in vehicles, for all people involved in postal deliveries irrespective of whether their employment status is self-employed, subcontractor, temporary staff member or contract worker;*

Or. en

**Amendment 43**  
**Romana Tomc**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Encourages the social partners to *negotiate* collective agreements for all transport services in line with national laws and practices;

*Amendment*

3. Encourages the social partners to *comply with the provisions of* collective agreements for all transport services in line with national laws and practices;

Or. sl

**Amendment 44**  
**Notis Marias**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. *Encourages* the social partners to negotiate collective agreements for all transport services in line with national laws and practices;

*Amendment*

3. *Calls on the Member States of the Union to restore collective labour agreements where they have been abolished and urges* the social partners to

negotiate collective agreements for all transport services in line with national laws and practices;

Or. el

#### **Amendment 45**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

#### **Draft opinion**

#### **Paragraph 3**

##### *Draft opinion*

3. Encourages the social partners to negotiate collective agreements for all transport services in line with national laws and practices;

##### *Amendment*

3. ***Welcomes the important role of trade unions, who in many Member States work together with transport service providers in an effort to make the transformation of the transport sector socially sustainable; highlights the importance of strong and independent social partners in the transport sector, an institutionalised social dialogue and the participation of employees in company matters; encourages the social partners to negotiate collective agreements for all transport services in line with national laws and practices, as they are an effective instrument to ensure decent social and employment standards; encourages SMEs in the sector to establish associations or platforms which support them in this regards and keep them informed;***

Or. en

#### **Amendment 46**

**Paloma López Bermejo**

#### **Draft opinion**

#### **Paragraph 3**

##### *Draft opinion*

3. Encourages the social partners to

##### *Amendment*

3. Encourages the social partners to

negotiate collective agreements for all transport services in line with national laws and practices;

negotiate collective agreements for all transport services in line with national laws and practices; ***underlines the importance of European social dialogue also in the context of transport;***

Or. en

**Amendment 47**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

***3a. Condemns all attempts by certain Member States to unilaterally restrict, in a manner incompatible with the Treaty, the freedom of small and medium-sized transport companies to provide cross-border services by using rules on minimum pay; points out that it is natural for Member States to have different levels of economic development, and that those differences should only be reduced gradually, without infringing the freedom to provide services;***

Or. pl

**Amendment 48**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

***3a. Calls on the Commission and the Member States to ensure, in line with national law and practice, that the principle of equal pay for equal work at the same place as advocated by Commission President Juncker is also***



*applied in the transport sector;*

Or. en

**Amendment 49**

**Marian Harkin**

**Draft opinion**

**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3a. *Recommends that collaborative economy businesses consider the possibility of creating representative bodies across all sectors at national level to represent their shared interests and those of their consumers for example in the area of insurance;***

Or. en

**Amendment 50**

**Sven Schulze**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

*Amendment*

**4. *Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping;* calls on the Member States to guarantee fair competition and ensure decent working conditions and ***the highest possible level of*** social protection for all workers;**

**4. Calls on the Member States to guarantee fair competition and ensure decent working conditions and *enforce existing* social protection for all workers ***in order to reduce precarious working conditions in a sector in transition;*** ***calls on the Commission and Member States to fight illegal bogus self-employment through the improved enforcement of existing rules;*****

Or. de

**Amendment 51**  
**Dieter-Lebrecht Koch**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. *Is concerned about the rise of precarious* employment, bogus self-employment, undeclared work and *social* dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and *the highest possible level of* social protection for all workers;

*Amendment*

4. *Deplores the anti-competitive practices which are the consequence inter alia of atypical* employment, bogus self-employment, undeclared work and *wage* dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and *optimal* social protection for all workers;

Or. de

**Amendment 52**  
**Romana Tomc**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to *guarantee* fair competition *and ensure* decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to *ensure the conditions for* fair competition, *which above all means* decent working conditions and the highest possible level of social protection for all workers;

Or. sl

**Amendment 53**  
**Marian Harkin**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and ***the highest possible*** level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and ***an adequate*** level of social protection for all workers; ***believes that the collaborative economy via recorded electronic transactions etc. can help Member States to combat such practices;***

Or. en

**Amendment 54**

**Kosma Złotowski, Czesław Hoc**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work ***and social dumping***; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment ***and*** undeclared work; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

Or. pl

**Amendment 55**

**Paloma López Bermejo**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of

*Amendment*

4. Is concerned about the rise of

precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition **and ensure** decent working conditions and the highest possible level of social protection for all workers;

precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition **by ensuring the monitoring and enforcement of social and labour law and collective agreements as well as** decent working conditions and the highest possible level of social protection for all workers; **believes that the European Platform on undeclared work can provide an European basis to fight against fraudulent and forms of employment, and calls to strengthen cooperation between the EU Member States on these subjects;**

Or. en

## **Amendment 56** **Karima Delli**

### **Draft opinion** **Paragraph 4**

#### *Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

#### *Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; **recalls that bogus self-employment should be turned into wage earning when criteria of price and subordination are fulfilled; calls therefore the Commission to introduce a regulatory framework in that sense;** calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers; **Takes the view that existing social protection schemes should be adapted to the needs of the workers in the digital and sharing economy to ensure the adequate social protection for the workers concerned;**

Or. en

**Amendment 57**  
**Claude Rolin**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers; ***calls in particular on the Member States and the social partners to engage fully with the platform against undeclared work, in view of undeclared work's adverse impact on workers, businesses and public authorities;***

Or. fr

**Amendment 58**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping ***in the transport sector; calls on the Commission to request information from the Member States on these problems and exchange best practices on how to tackle them;*** calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

Or. en

**Amendment 59**  
**Laura Agea, Tiziana Beghin**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers; ***recommends full enforcement of worker health and safety rules, in order to create an environment in which high-quality work can be performed in decent conditions;***

Or. it

**Amendment 60**  
**Notis Marias**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection for all workers;

*Amendment*

**4.** Is concerned about the rise of precarious employment, bogus self-employment, undeclared work and social dumping; calls on the Member States to guarantee fair competition and ensure decent working conditions and the highest possible level of social protection ***and security*** for all workers;

Or. el

**Amendment 61**  
**Joachim Schuster, Jutta Steinruck**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

**4a. Criticises the European Commission's communication 'A European Agenda for the collaborative economy' for its biased and over-enthusiastic position on the collaborative economy; is particularly worried about the Commission's recommendation to Member States to consider imposing market access requirements only if a set of narrowly defined criteria apply (price setting competence, mandatory terms and conditions, ownerships of key assets); is worried that through these recommendations Member States are prevented from correcting market failures and are hindered from setting adequate consumer protection and labour standards in the digital economy; warns that the freedom to provide services should not take precedence over nationally guaranteed consumer protection and labour standards.**

Or. en

**Amendment 62**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

**4a. Calls on the Commission and the Member States to tackle bogus self-employment in the transport sector; urges the Member States, more generally, to prevent the flexibility of employment contracts from having a negative impact**

*on workers; calls furthermore on the Commission and the Member States to examine the need to fill any potential regulatory gaps in order to avoid an increase in precarious and bogus self-employment;*

Or. en

**Amendment 63**  
**Joachim Schuster, Jutta Steinruck**

**Draft opinion**  
**Paragraph 4 b (new)**

*Draft opinion*

*Amendment*

*4b. Points out that the collaborative economy also gives rise to precarious forms of employment to which standards as regards social security, working time, worker participation and employment protection no longer apply; asks the European Commission to suggest a legislative framework for the protection of workers in the collaborative economy, clarifying under which circumstances an employment relationship exists; considers that some online platforms are structurally similar to temporary agencies and calls on the Commission to elaborate in how far a revision of the directive on temporary agency work would be suitable to guarantee a minimum of labour standards for workers in the collaborative economy; stresses that a legislative proposal from the European Commission is urgently needed in order adequately protect workers and create a level playing field for businesses in the digital labour market, which operates on a cross-border basis;*

Or. en



**Amendment 64**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Paragraph 4 b (new)**

*Draft opinion*

*Amendment*

***4b. Calls on the Commission and the Member States to guarantee all workers in the transport sector decent working conditions, including the required level of health and safety protection at work regardless of the size and type of the company which employs them, the place of employment or the underlying contract; stresses the importance of health and safety at work, particularly in the light of demographic changes and the high level of mobility of workers in the transport sector;***

Or. en

**Amendment 65**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**

**Paragraph 4 c (new)**

*Draft opinion*

*Amendment*

***4c. Draws attention to a number of instances of unfair competition in the transport sector, which is often at the expense of small transport businesses; recalls that unfair competition can contribute to the degradation of working conditions; calls on the responsible authorities to adequately sanction any misconduct in this regard;***

Or. en

**Amendment 66**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė, Flavio Zanonato**

**Draft opinion**

**Paragraph 4 d (new)**

*Draft opinion*

*Amendment*

***4d. Invites the Commission to consider the creation of a European Road Transport Agency to ensure proper implementation of EU legislation, including social and employment standards, and to promote standardisation and cooperation between all Member States in road transport;***

Or. en

**Amendment 67**

**Sven Schulze**

**Draft opinion**

**Paragraph 5**

*Draft opinion*

*Amendment*

***5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability;***

***5. Stresses that working and employment standards must not be circumvented through subcontracting in the transport sector;***

Or. de

**Amendment 68**

**Kosma Złotowski, Czesław Hoc**

**Draft opinion**

**Paragraph 5**

*Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to *introduce* and *strengthen laws on joint and several liability*;

*Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission *to monitor such misuse* and *calls on* the Member States to *strengthen the rules* and *control mechanisms relating to the social responsibility of employers*;

Or. pl

**Amendment 69**  
**Dieter-Lebrecht Koch**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls *on* the Commission and the Member States to *introduce and strengthen laws on joint and several liability*;

*Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls *upon* the Commission and the Member States to *counter this development*;

Or. de

**Amendment 70**  
**Marian Harkin**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the *Commission and the* Member States to introduce and

*Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Member States to introduce and strengthen laws on joint and

strengthen laws on joint and several liability;

several liability;

Or. en

## **Amendment 71**

**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

### **Draft opinion**

#### **Paragraph 5**

##### *Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability;

##### *Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; ***highlights in this context the long-term social and financial implications of precarious employment for individuals as well as for social security systems***; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability, ***put limits to subcontracting and increase monitoring of transport operators and their subcontractors as regards employment and working conditions***;

Or. en

## **Amendment 72**

**Laura Agea, Tiziana Beghin**

### **Draft opinion**

#### **Paragraph 5**

##### *Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability;

##### *Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability ***and to***

*establish ongoing monitoring arrangements and lay down appropriate penalties for anyone failing to comply with the rules;*

Or. it

**Amendment 73**  
**Notis Marias**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability;

*Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability ***and ensure the strict application of the laws protecting workers' rights;***

Or. el

**Amendment 74**  
**Paloma López Bermejo**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability;

*Amendment*

5. Is concerned about the misuse of subcontracting in the transport sector to circumvent working and employment standards; calls on the Commission and the Member States to introduce and strengthen laws on joint and several liability ***as well as ensure the adequate implementation and enforcement of existing regulations;***

Or. en

**Amendment 75**  
**Dominique Martin, Joëlle Mélin, Mara Bizzotto**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5a. Points out that small transport businesses are, in the main, local businesses that are not relocatable;**

Or. fr

**Amendment 76**  
**Paloma López Bermejo**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

*Amendment*

6. **Welcomes the development of** new working time models **that** enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

6. **Observes that** new working time models **may** enable workers to improve their work-life balance; stresses, however, **that flexibility should not lead to an individualization of labour relationships, to the detriment of workers; emphasises** the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

Or. en

**Amendment 77**  
**Sven Schulze**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

*Amendment*

6. Welcomes the development of new working time models that enable workers to improve their work-life balance;

6. Welcomes the development of new working time models that enable workers to improve their work-life balance, **work**

stresses, however, the *importance of monitoring* compliance with mandatory driving and resting times as well as working hours;

*part-time and have additional earnings*; stresses, however, *that the digitalisation of the transport sector will make it easier to monitor* compliance with mandatory driving and resting times as well as working hours;

Or. de

## **Amendment 78**

**Laura Agea, Tiziana Beghin**

### **Draft opinion**

#### **Paragraph 6**

##### *Draft opinion*

6. Welcomes the development of new working time models that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

##### *Amendment*

6. Welcomes the development of new working time models that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours; *recommends enforcement of the rules on cabotage and calls for new technology to be used in order to make sure that the rules on driving and rest periods are followed*;

Or. it

## **Amendment 79**

**Claude Rolin**

### **Draft opinion**

#### **Paragraph 6**

##### *Draft opinion*

6. Welcomes the development of new working time models that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

##### *Amendment*

6. Welcomes the development of new working time models *negotiated by the social partners* that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

**Amendment 80**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Welcomes the development of new working time models that enable workers to *improve* their *work-life balance*; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

*Amendment*

6. Welcomes the development of new working time models that enable workers to *better reconcile* their *work, private life and family life*; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

Or. pl

**Amendment 81**  
**Dieter-Lebrecht Koch**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Welcomes the development of new working time models that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

*Amendment*

6. Welcomes the development of new *and flexible* working time models that enable workers to improve their work-life balance; stresses, however, the importance of monitoring compliance with mandatory driving and resting times as well as working hours;

Or. de

**Amendment 82**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 6 a (new)**



*Draft opinion*

*Amendment*

**6a.** *Stresses the particular importance of SMEs operating in the transport sector in small towns, hard-to-access regions and on the outskirts of large urban areas in providing transport for people commuting to work or travelling to school, particularly where the public transport system does not function properly; notes that these undertakings fill a gap in this area which exists in many central and eastern European Member States;*

Or. pl

**Amendment 83**  
**Kosma Zlotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 6 b (new)**

*Draft opinion*

*Amendment*

**6b.** *Notes the positive impact of the emergence of new collaborative economy business models in the transport sector on the increase in employment among young people, particularly those seeking casual work and flexible forms of employment allowing them to combine work with study;*

Or. pl

**Amendment 84**  
**Elena Gentile, Jutta Steinruck, Vilija Blinkevičiūtė**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Highlights the importance of 21st century skills and calls on the social partners **and on** education and training institutions to develop related skills strategies for small transport businesses.

*Amendment*

7. ***Points out that as result of restructuring and the introduction of new activities and technologies workers need to adapt to new circumstances and learn new skills***; highlights the importance of 21st century ***working*** skills, ***such as digital skills, team working, critical thinking and problem solving***, and calls on the social partners ***as well as*** education and training institutions to develop related skills strategies for small transport businesses; ***stresses that the key to a socially sustainable transformation and adaptation in the transport sector lies in employee training; regards it as the employer's task to acquaint employees properly with new technologies such as IT and tracking applications; stresses that in the case of temporary contracts, the agency supplying the staff must give them adequate preparation and training***;

Or. en

**Amendment 85**  
**Romana Tomc**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Highlights the importance of 21st century skills and calls on the social partners and on education and training institutions to develop related ***skills strategies*** for small transport businesses.

*Amendment*

7. Highlights the importance of 21st century skills and calls on the social partners and on education and training institutions to develop related ***educational programmes*** for small transport businesses.

Or. sl

**Amendment 86**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Highlights the importance of 21st century skills and calls on the social partners and on education and training institutions to develop related skills strategies for small transport businesses.

*Amendment*

7. Highlights the importance of 21st century skills, ***particularly digital skills***, and calls on the social partners and on education and training institutions to develop related skills strategies for small transport businesses.

Or. pl

**Amendment 87**  
**Kosma Złotowski, Czesław Hoc**

**Draft opinion**  
**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

***7a. Points out that the transport sector comprises not only direct transport service providers but also SMEs offering services such as vehicle servicing, the sale of spare parts, the training of vehicle drivers and operators and the rental of vehicles, which have enormous potential for creating jobs, including for highly qualified people; stresses that the needs of these undertakings and companies must also be taken into account in designing solutions for the entire transport sector;***

Or. pl

**Amendment 88**  
**Karima Delli**

**Draft opinion**  
**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

**7a.** *Warns that the digital sector should distinguish between platforms which provide professional services and intermediates of the collaborative economy which connect providers and users; stresses that the first should as such comply with tax and social contributions; notes that professional use of the latter should also be regulated, and calls therefore the Commission to introduce a regulatory framework in that sense.*

Or. en

**Amendment 89**

**Elena Gentile**

**Draft opinion**

**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

**7a.** *Calls on the Commission and Member States to promote social economy models in the transport sector and exchange best practices in this regard, as social enterprises have proven more resilient during times of economic crisis than other business models;*

Or. en

**Amendment 90**

**Sven Schulze**

**Draft opinion**

**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

**7a.** *Calls on the Commission to gather reliable data on the collaborative economy*

*in the transport sector and to study the  
impact on working conditions;*

Or. de