

# WABERER'S INTERNATIONAL OPTIMUM SOLUTION



MORE THAN 65 YEARS OF EXPERIENCE



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# **Social and Market Aspects of the Mobility Package from the perspective of a Responsible Transport Operator**





**Road transport represents 71% of the EU transportation sector and it is expected to grow in the future (increasing role of e-commerce which requires faster transportation, just in time transportation, etc.)**



**65 % of the long haul transport operations covering the Western European market (1000-6000 km), are performed by transport companies established in EU 13 countries!**





**Our greatest concern regarding the Commission's proposal, better known as Mobility Package, is that it tries to deal with the transport sector independently from the ECONOMIC CONTEXT!**



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# Driving and Rest Time

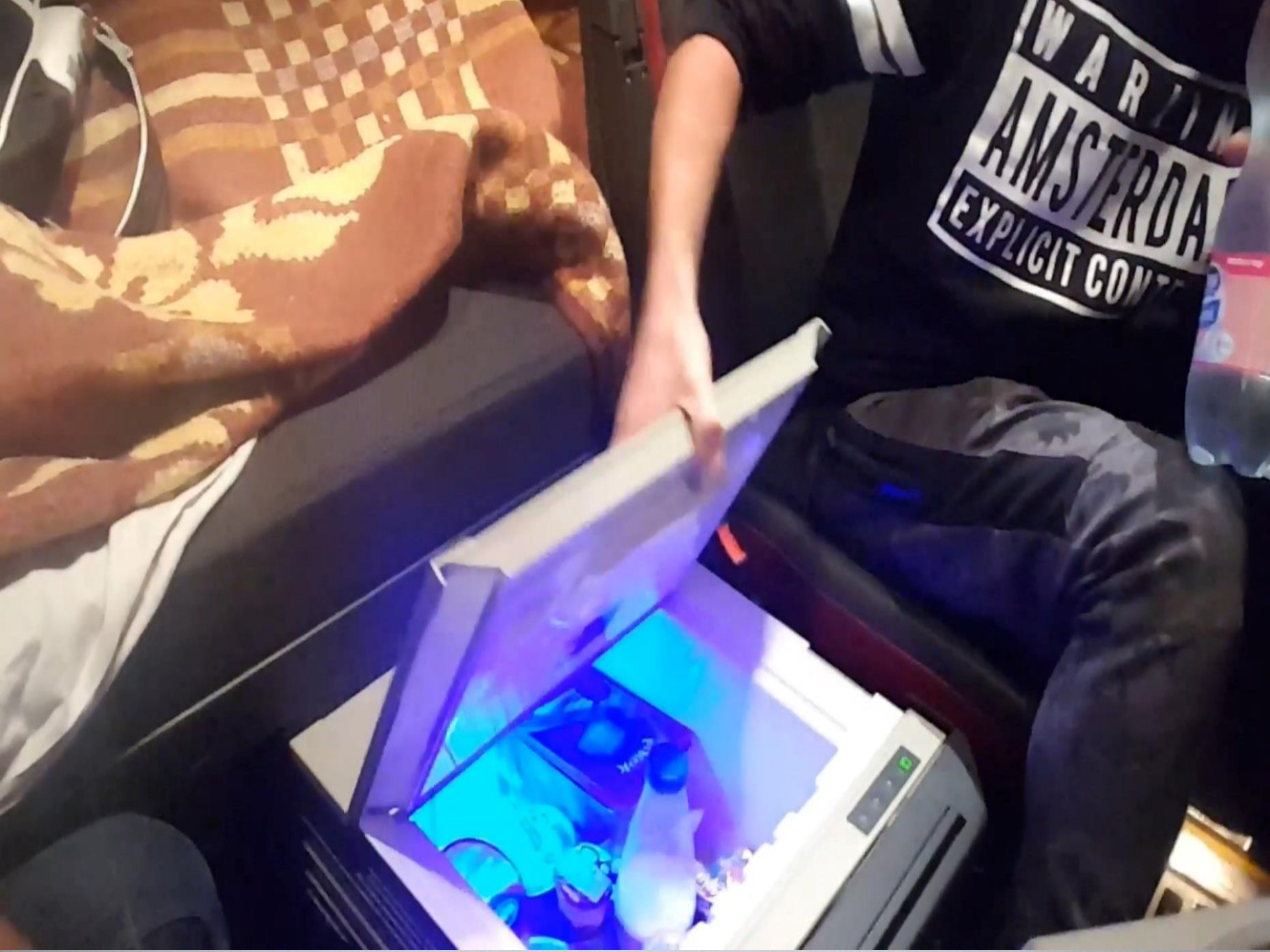




- The proposal does not serve the social interest of the drivers, **it only forces them out of the cabin of the vehicle for the duration of the 45 hrs regular weekly rest and there are not enough hotel rooms in the EU where these rests should be taken.**
- The drivers consider the cabin their home away from home, therefore leaving it for the 45 hrs regular weekly rest **does not help their recovery;**









Crimes against the vehicles and the drivers are committed on a daily basis, since an **unattended vehicle** even without cargo, has a **significant value**, including fuel, the drivers' personal belongings etc.!





**The fact that thousands of migrants are „camping around” in the EU is causing an infinite number of problems to our everyday operations, however the Mobility Package takes non of these factors into consideration!**







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# Summary of a driver's monthly schedule

Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Max. 56 hours work						reduced weekly rest	Max. 34 hours work						regular weekly rest	Max. 56 hours work						reduced weekly rest	Max. 34 hours work						Return home		



- Due to collective obligations a driver cannot work more than 173 hrs/month (519 hours in 3 months) which in practice is apx. **40 hours a week;**
- On average our drivers return home **after 28 days;**
- A driver works apx. **20 days/month**, apx. **8 hours/day** and **drives apx. 400 km/day.**





- Forcing drivers out of the cabin of the vehicle for the 45 hrs. Regular weekly rest does not serve their best interests!
- They need adequate number of secured parking areas with clean sanitation facilities, laundry facilities, etc. To be able to recover while spending their rest time!
- They shall return to their families after 28 days!



The Commission made it clear that **national enforcement authorities can only fine drivers when they are caught having a regular weekly rest inside the vehicle at the time of the control.** They cannot require any proof, such as hotel bills from drivers, proving that their regular weekly rest preceding the roadside inspection was not spent in the vehicle since the Commission recognized the problem, occurring from the lack of infrastructure.





On 19 September 2017, **Violeta Bulc** sat down with Szabolcs Takács, Minister of State for EU Affairs at the Prime Minister's Office. During the meeting, the Commissioner also **came to the conclusion that IT IS PHYSICALLY IMPOSSIBLE TO PLACE EVERY DRIVER IN A HOTEL ROOM DURING THE 45 HRS REGULAR WEEKLY REST, since there are NOT ENOUGH HOTEL ROOMS along the European highway system to obey this requirement!**









**However French authorities pose fines to drivers retrospectively (750 euro), hours after the drivers started working hence they require proof that their regular weekly rest preceding the roadside inspection was not spent in the vehicle. THEY ARE NEGLECTING THE COMMISSION'S GUIDANCE!**



# Application of the Posing of Workers Directive (Directive 96/71/EC) and its Enforcement Directive (Directive 2014/67/EU) to the Road Transport Sector





- Rules of the Posting Directive suppose to apply to **employees carrying out work for months or years in the territory of one Member State** vis-à-vis these rules are **inapplicable to drivers** who work on a daily or even hourly basis!
- Companies will have to deal with about **20 different national legislations** and up to **50 different remuneration schemes!**



## The Commission's proposal /COM (2017) 0278/ regarding the derogation period is not suitable for international transport operations!

*„The period of posting is longer than **3 days***

*(a) a daily working period **shorter than six hours** spent in the territory of a host Member State shall be considered as **half a day**;*

*(b) a daily working period of **six hours** or more spent in the territory of a host Member State shall be considered as a **full day**;*

*(c) **breaks and rest periods** as well as periods of availability spent in the territory of a host Member State **shall be considered as working period.**”*





- Member States shall not apply Posted Workers Directive to drivers in the road transport sector when performing international carriage operations shorter than or equal to **10 cumulative days** during a period of one calendar month;
- A day of derogation may not be less than at least **24 hours** respectively spent in the territory of the host Member State, **excluding rest periods!**



Application of the rules of the Posted  
Workers Directive and its  
Enforcement Directive to the road  
transport sector (drivers'  
remuneration) should only be  
considered within a structured  
framework and should be grounded  
in an **ECONOMIC CONTEXT!**





## GDP (PPP) in 2016

- FRANCE - € 31 800
- GERMANY - € 34 400
- BULGARIA - € 6 000
- ROMANIA - € 7 600
- HUNGARY - € 11 000



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# **JUST A FEW OF THE LONG TERM ECONOMIC EFFECTS OF A MISGUIDED MOBILITY PACKAGE:**





- **RADICAL INCREASE OF FREIGHT AND LOGISTICAL COSTS;**
- **INFLATION;**
- **DISRUPTION OF THE EUROPEAN SUPPLY CHAIN;**
- **DECREASING GLOBAL COMPETITIVENESS OF THE EU!**



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# WHAT SHOULD BE DONE?





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***TRADE, DEVELOPMENT,  
COMPETITION AND OTHER  
ECONOMIC FACTORS, TOGETHER  
WITH PROFESSIONALLY-BASED  
ARGUMENTS MUST BE TAKEN  
INTO CONSIDERATION WHEN  
DECISIONS ARE MADE OVER THE  
FUTURE OF THE TRANSPORT  
INDUSTRY, INSTEAD OF  
POLITICAL AMBITIONS!***





**THANK YOU FOR  
YOUR ATTENTION!**

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