

WRITTEN QUESTION E-5820/08  
by Sylwester Chruszcz (NI)  
to the Commission

Subject: Discrimination in salaries paid to Polish drivers

Economic operators from other European countries are registering their business in Poland and employing Polish workers. A problem arises when drivers from the company's country of origin are paid a much higher salary than Polish drivers for the same work, performed under the same conditions (both sets of drivers are working outside their own country, delivering goods throughout Europe). Officially, the drivers from another EU country and the Polish drivers are employed by different firms - the firm operating in Poland is not a subsidiary of the foreign company but an entity founded by it. Nevertheless, there are connections between them in terms of capital and staff.

Is such conduct on the part of a foreign company not contrary to Article 12 of the Treaty establishing the European Community (consolidated version incorporating the changes introduced by the Treaty of Nice)? The employer's conduct is in no way justified, since the drivers from the two countries are performing the same duties, at the same times and with the same workload. The sole justification - and this is unacceptable - is the fact that they originate from different countries, a situation which bears all the signs of discrimination based on nationality.