Question for written answer E-006446/2018 to the Commission
Rule 130
Danuta Jazłowiecka (PPE)

Subject: Long-term posting - calculation of the posting period

I have been receiving numerous inquiries from entrepreneurs concerning the interpretation and implementation of the revised Directive 2018/957/EU on the posting of workers. I would therefore like to ask the Commission for further clarification regarding question E-003809/2018 and the answer given by the Commission.

Should the provisions of Article 3(1)(a) of Directive 96/71/EC of the European Parliament and of the Council concerning the posting of workers in the framework of the provision of services (long-term posting), added by amending Directive 2018/957/EU of 28 June 2018, be interpreted as meaning that where, at the end of one contract for the provision of services, an undertaking enters into a new contract for the provision of services and, for the performance of that contract, posts workers to the same place (same address), and those workers carry out the same type of work but another task (set out in the new contract), the periods of posting (necessary for the performance of both contracts) are not aggregated for the purposes of this paragraph?

It is, after all, a separable, economically justifiable and distinct task that may result from a separate order, time interval and from a difference in purpose, material, tools or entity.

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