

Question for written answer E-001559/2020
to the Commission
Rule 138
Ljudmila Novak (PPE)

Subject: Taking account of workers' rights in the tax rules of another country

Employee rights are laid down in the labour laws and collective agreements of an individual EU country. This is in line with that country's tax legislation and determines the level of entitlements of workers who live and work there.

Frontier workers earn an income which is based on the labour laws and collective agreements in one country (country A), but when it comes to paying taxes they are subject to the rules of the country where they live or are tax resident (country B). When the tax rules of country B give effect to the rights laid down in labour laws and collective agreements in a way that is different to country A (e.g. on the issue of what income is included in the tax base), this has a direct impact on the level of rights of frontier workers and puts them at a disadvantage compared to employees in the country of residence and employment.

Free movement of people is one of the fundamental rights of the EU. As the guardian of the treaties, the Commission must make sure that the exercise of these rights is not made difficult for the individuals concerned and that they are not disadvantaged as a consequence.

In view of the above:

1. Does the Commission agree that employees must de facto enjoy in full the rights which are de jure applicable to them under labour laws and collective agreements, irrespective of where they live and pay taxes?
2. What action will the Commission take to ensure that the tax rules of the country of residence more effectively take account of the tax rules of the other country, so that the employment rights of frontier workers are protected?