OPINION

of the Committee on Women’s Rights and Gender Equality

for the Committee on Employment and Social Affairs

on social dumping in the European Union
(2015/2255(INI))

Rapporteur: Evelyn Regner
SUGGESTIONS

The Committee on Women’s Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

A. whereas the principle of equal pay for work of equal value is recognised under Article 157 TFEU; whereas, given the existence of social dumping, the principle of equal pay for equal work and equal working conditions in the same place must be ensured; whereas the right to equal opportunities, access to training and career progression must be guaranteed; whereas women face multiple discrimination, putting them at even greater risk of poverty and social exclusion;

B. whereas the Charter of Fundamental Rights of the European Union, to which all the Member States are signatories, stipulates that equality between men and women must be ensured in all areas; whereas, with regard to social dumping, a key challenge for the EU is to increase employment among women, improve the situation of women on the labour market and eliminate gender gaps;

C. whereas social dumping has a greater impact in social and cultural environments in which there is limited knowledge of workers’ rights and in which women have greater difficulties entering the labour market, and can occur in various forms; whereas the worst form of social dumping is undeclared work;

D. whereas the gender pay gap still exists and, despite existing EU legislation and soft-law recommendations, progress in this area is extremely low; whereas the situation is exacerbated by social dumping, together with the gender pay gap, which leads to the gender pension gap that puts women at greater risk of poverty among the elderly;

E. whereas human trafficking, in particular the trafficking of women, not only from third countries to the EU but also between EU countries, is often associated with false employment contracts;

1. Notes that women are the most affected by social dumping in certain sectors, in particular housekeeping and the care sector (especially home care), but also in traditional ‘posting’ sectors such as the meat processing and transport sectors; calls on the Commission, in cooperation with the Member States, to evaluate all situations in which women experience social and wage dumping or undeclared work, as well as the existing related EU legislation;

2. Recommends that the Commission and Member States step up checks on businesses and penalise social dumping practices;

3. Calls on the Member States to adopt specific measures with the aim of professionalising and qualifying, in a harmonised manner, work such as housekeeping, which is now often done illegally;

4. Calls for special attention to be paid, in future exchanges between the Member States in the framework of the European Platform to enhance cooperation in the prevention and
deterrence of undeclared work, to the sectors in which women are worst affected in order to improve the checks that can be made;

5. Points out that the payment, working conditions and social security contributions must, for the duration of the assignment, posting or temporary working duration in another Member State, be at least the same as for women workers of the Member State to which these workers are sent;

6. Recommends the establishment of a network of information offices providing assistance and information on the rights of women workers posted or temporarily transferred to another Member State and employers’ obligations, if possible in the migrant workers’ own language, and a website providing the same service; calls on the Member States to provide relevant legal assistance to employees on matters relating to labour law;

7. Stresses that all subcontractors, e.g. temporary agencies that mostly send women to other Member States for the purposes of domestic work and home care, must be made liable for unpaid wages, social security contributions, accident insurance and illness and injury provisions; stresses that subcontractors must also be able to assist employees in the event of mistreatment and abuse by clients, as well as with repatriation;

8. Calls on the Commission to ensure that Member States reinforce effective control measures and sanctions for employers in sectors in which women are victims of social dumping and undeclared work and provide adequate information about employers that do not comply with EU and national legislation;

9. Calls on the Commission to take specific measures to help women affected by social dumping by focusing all general policies and measures on the achievement of equality, taking into account ongoing labour market segregation and inequalities in employment contracts as reflected in the ongoing significant pay differentials between women and men;

10. Calls for an upgraded role for the social partners, in particular the trade unions, given their importance in providing information on, preventing, reporting and combating working practices which are harmful practices contrary to corporate social responsibility and to the concept of decent work.
RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

<table>
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<th>Date adopted</th>
<th>18.2.2016</th>
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| Result of final vote | +: 28  
                          --: 1  
                          0: 2 |
| Members present for the final vote | Daniela Aiuto, Maria Arena, Catherine Bearder, Beatriz Becerra Basterrechea, Malin Björk, Viorica Dăncilă, Iratxe García Pérez, Mary Honeyball, Teresa Jiménez-Becerril Barrio, Elisabeth Köstinger, Agnieszka Kozłowska-Rajewicz, Angelika Mlinar, Angelika Niebler, Maria Noichl, Marijana Petir, João Pimenta Lopes, Terry Reintke, Jordi Sebastià, Michaela Šojdrová, Ernest Urtasun, Jadwiga Wiśniewska, Anna Záborská, Jana Žitňanská |
| Substitutes present for the final vote | Biljana Borzan, Rosa Estarás Ferragut, Arne Gericke, Kostadinka Kuneva, Constance Le Grip, Dubravka Šuica, Marc Tarabella |
| Substitutes under Rule 200(2) present for the final vote | Mike Hookem |