

# EUROPEAN PARLIAMENT

2004



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*Committee on the Internal Market and Consumer Protection*

**2008/2035(INI)**

16.7.2008

## **OPINION**

of the Committee on the Internal Market and Consumer Protection

for the Committee on Employment and Social Affairs

on stepping up the fight against undeclared work  
(2008/2035(INI))

Draftsman: Benoît Hamon

PA\_NonLeg

## SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Notes that cases of undeclared work are increasing in the context of the free movement of workers in the internal market; considers that this is harmful to workers, public finances and the smooth operation of the internal market, as well as to healthy competition;
2. Urgently calls on the Member States to put an end as soon as possible to the transitional arrangements limiting the mobility of workers from the new Member States, as these restrictions encourage undeclared work;
3. Considers that, in the case of workers benefiting from freedom of movement, undeclared work may be due to a lack of familiarity with the relevant provisions; calls therefore on the Member States to mount public information campaigns to raise awareness of this matter among workers and employers;
4. Calls on the Member States to take measures to alleviate the particular vulnerability of the immigrant population in undeclared employment;
5. Calls on the Commission to review Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services<sup>1</sup>, and in particular to reinforce administrative cooperation and exchanges of information between the competent national authorities (workplace inspectors, tax administrations, social security bodies) so as to prevent undeclared work and remedy the situation;
6. Asks the Commission to consider whether the systems put in place by Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market<sup>2</sup>, including points of single contact, could be useful and operational for the purposes of the fight against undeclared work;
7. Stresses that the number of cases of undeclared work in subcontracting chains might be reduced by a system of national provisions requiring contractors and developers to act responsibly and fairly;
8. Calls on the Member States to work together to reduce the amount of undeclared work and to implement policies suited to their specific requirements;
9. Encourages Member States to make use of the policy tools they have at their disposal combining preventive action and sanctions aiming at transforming undeclared work into regular employment, and where possible to coordinate the use of those tools in order to achieve greater coherence throughout the internal market;

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<sup>1</sup> OJ L 18, 21.1.1997, p.1

<sup>2</sup> OJ L 376, 27.12.2006, p. 36.

10. Recommends that agreement be reached at national, regional and local level involving social institutions and employers' organisations seeking a commitment to monitoring and progressively eliminating undeclared employment.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	15.7.2008
<b>Result of final vote</b>	+: 18 -: 16 0: 3
<b>Members present for the final vote</b>	Gabriela Crețu, Mia De Vits, Janelly Fourtou, Martí Grau i Segú, Małgorzata Handzlik, Malcolm Harbour, Anna Hedh, Eija-Riitta Korhola, Kurt Lechner, Lasse Lehtinen, Toine Manders, Catiuscia Marini, Nickolay Mladenov, Catherine Neris, Bill Newton Dunn, Zita Pleštinská, Zuzana Roithová, Heide Rühle, Leopold Józef Rutowicz, Salvador Domingo Sanz Palacio, Christel Schaldemose, Andreas Schwab, Eva-Britt Svensson, Jacques Toubon, Barbara Weiler, Marian Złotea
<b>Substitute(s) present for the final vote</b>	Emmanouil Angelakas, André Brie, Giovanna Corda, Jan Cremers, Benoît Hamon, Joel Hasse Ferreira, Filip Kaczmarek, Manuel Medina Ortega, José Ribeiro e Castro, Olle Schmidt
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Dragoș Florin David, Jan Olbrycht