

WRITTEN QUESTION P-0250/02

by Elisa Damião (PSE)

to the Commission

Subject: Freedom of movement for workers

Freedom of movement for workers is covered by Articles 39 and 40 of the Treaty, Directives 91/533/EEC¹ and 96/71/EEC², Regulation (EEC) No 1408/71³, Regulation (EEC) No 1612/1968⁴ and the judgments of the Court of Justice relating to Regulation (EEC) No 1408/71.

The Commission was to have submitted a report to the European Parliament and the Council assessing Directive 96/71/EEC in December 2001. There are a large number of cases where EU workers have been adversely affected by illegal recruitment, unequal pay and working conditions, and violations of the principles of national and Community legislation on social protection and contracts and of fundamental rights. Moreover, the integration of the labour market implies worker mobility.

Taking this into account, can the Commission assess the irregularities detected in the Member States as regards national and Community legislation, as well as the measures taken to prevent and punish these practices, particularly on the part of agencies supplying temporary staff, which are operating both legally and illegally on a large scale?

¹ OJ L 288, 18.10.1991, p. 32.

² OJ L 18, 21.1.1997, p. 1.

³ OJ L 149, 5.7.1971, p. 2.

⁴ OJ L 257, 19.10.1968, p. 2.