

WRITTEN QUESTION P-1630/09  
by Johannes Blokland (IND/DEM)  
to the Commission

Subject: Working hours of the self-employed in road transport

On Monday, 2 March, the Committee on Employment and Social Affairs of the European Parliament rejected the Commission's proposal to exclude self-employed drivers working in road haulage who do not employ any staff from the scope of the Working Hours Directive. There is a danger that, as a result of this, genuine self-employed entrepreneurs in road haulage will fall within the scope of the Directive from 23 March. However, the EU Member States had agreed not to act on this deadline because the Commission intended to submit a substitute proposal. This was because the impact assessment had shown that it is good for competition in the transport industry, good for enforcement, good for the transport industry as a whole and not bad for road safety to continue to exclude genuinely self-employed drivers from the scope of the Directive.

1. Is the Commission aware of the results of the vote of 2 March 2009 in the European Parliament's Committee on Employment and Social Affairs?
2. Will the Commission urge the Member States not to apply the existing legislation, which requires the self-employed to be covered by the Directive from 23 March 2009, until a definitive solution has been found for the issue of the working hours of the genuinely self-employed in road haulage?
3. If not, how will the Commission ensure that this legislation is enforced effectively, proportionately and in such a manner as to deter would-be offenders?
4. What measures will the Commission take to do justice to the results of the impact assessment?

The Commission proposal was also intended to solve the problem of the bogus self-employed at European level.

5. How will the Commission tackle the problem of the bogus self-employed if the Commission's proposal is likewise rejected by the European Parliament in plenary?