

**Priority question for written answer P-005490/2020
to the Commission**

Rule 138

Sven Simon (PPE)

Subject: Uniform implementation of Directive 96/71/EC on the posting of workers

Under the terms of Directive 96/71/EC on the posting of workers, the employment law of the Member State in which an undertaking is established continues to apply for the period in which cross-border workers are being posted by it to another Member State. Given that this is an exception to the rules applicable regarding the free movement of workers, those concerned must apply in advance for an A1 certificate to be shown at the border crossing as evidence that the employment law of one or other country applies for the period of the posting. Even a period of hours spent in another EU Member State is sufficient to constitute a posting within the meaning of the directive.

In practice, however, there are wide differences between the Member States regarding the extent to which it is implemented. Members of the business and scientific community in my constituency are complaining that they and their employees are being systematically required to produce their A1 certificates for examination by excessively zealous airport customs officials, even for brief cross-border trips. This is significantly hampering the movement of workers between Member States, creating avoidable additional bureaucracy and undermining the internal market.

What action is the Commission taking to ensure that the directive is being interpreted by the Member States in such a way as to preserve the unity of the internal market and avoid creating excessive bureaucratic obstacles for members of the business and scientific community?