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*Directives "Single Permit", "Seasonal Work", "Intra-Corporate Transfer":*

## **No to a two-way regime in the European Labour Market**

With the proposed Directive COM (2007) 638 concerning the so-called "Single Permit", the risk still exists of introducing limits in respect of equal treatment and non discrimination between workers from third countries and national/EU workers.

The EMF deems necessary to improve the Directive via the following:

- Include in the Directive all categories of workers (and particularly seasonal workers from third countries and intra-corporate transferees);
- Equal treatment and salary (social insurance, unemployment benefits, vocational training, taxes, housing assistance) and application of rules deriving from collective work contracts for all workers coming from third countries, as is the case for national/EU workers.

The Directive is closely linked with two further Directive proposals concerning the issue of third country workers employed as seasonal workers and as intra-corporate transferees (respectively COM (2010) 379 and 378).

The proposal on season work, in fact, introduces a difference between seasonal and non-seasonal workers who carry out the same work, thereby infringing the principle "equal salary for equal work".

The proposal concerning intra-corporate transferees does not fix any kind of limit for the size and type of company, employment criteria, activities to be performed, nor suitable rules for control, inspection and verification of duties for the companies employing third country workers, nor any binding principle concerning social insurance.

For these reasons, and many other critical points contained in the two proposals laid down in the directives, the EMF, in all cases:

- rejects EU legislation discriminating against third country workers on a legal and practical level;
- rejects a system on the basis of which third country workers can enter the EU territory through a member state and successively be posted in another member state, thereby avoiding the legal and contractual provisions of that state;
- rejects the fact that liberalisation of the access to the EU labour market is in fact being transformed into a two-way regime and, on top of that, without preventive controls and effective sanctions in case of misuse by companies.

EU legislation, particularly in respect of work and citizenship rights, must be underpinned – in all matters - by the fundamental principle "equal treatment for all workers", regardless of their country of origin and of the kind of work they perform.