

THE

Social Partners

Gdansk, Today 19/10/17

CELEBRITY NEWS AND GOSSIP

EUROPE EXCLUSIVES

“TOWARDS PROTECTION OF POSTED WORKERS”



Thursday, October 19, 2017 in Gdansk, in the historic BHP Hall (Ks. Jerzego Popieluszki) is taking place the Final conference of the project "Promotion of transnational cooperation among stakeholders and dissemination of best practices to enhance the implementation of the European legislation on posted workers".

The conference is organized by the National Commission of NSZZ "Solidarność". Participants` are trade unionists, employers, academics, lawyers, representatives of the State labour inspectorates of Poland, Lithuania, Latvia and Estonia.

Date 19/10/2017, Thursday

NEWS

OPENING CEREMONY OF THE INFORMATION CENTER FOR POSTED WORKERS RIGHT AT LITHUANIAN – POLISH BORDER



Head of the State Labor Inspectorate Gintaras Čepas, President of the European Economic and Social Committee George Dassis, Minister of Social Security and Labor of the Republic of Lithuania Algimanta Pabedinskienė, Chairman of Lithuanian Carrier's trade union Petras Grėbliauskas and Director of Information centre for posted workers Audrius Cuzanauskas.

LITHUANIAN CARRIERS' TRADE UNION together with the State Labor Inspection of Lithuania opened the information center for posted workers. The first information center is set up where migratory flows are extremely high. During the day, up to 13 thousand trucks, whose drivers are potential visitors of the center, pass through the Lithuanian-Polish border control post. Other visitors of the center are posted persons or migrant workers crossing the state border. Even if 1% of them stop at the Center every day, they will receive the right advice and the number of the informed citizens will increase.

ACTIVITIES OF INFORMATION CENTER

To analyze the problem situations of migrant workers or posted employees, to inform and consult visitors about work remuneration, working conditions, work and rest time, holidays, occupational safety and health issues. Prevent illegal work. Provide visitors with access to the Internet, rest rooms, medical facilities (counselling for occupational diseases, blood tests, other outpatient treatment and referral to medical specialists).

Information Center at the border



Inside the building of the Information Center for posted workers at the border

WHY?

- Because EU projects must have added value.
- Because the development of social dialogue requires practical means.
- Because such a Center is an exemplary example of partnership cooperation.
- Because the need to advise and educate EU citizens is where migratory flows are extremely high, namely at the border.
- Because UKR, BLR, RU citizens are looking for information on the work in EU and such a Center would be a great help for them.
- Such a Center contributes to the transparency of the business and the prevention of corruption.
- Information Center at the border is a practical tool for implementing the EU migration policy.
- This kind of activity creates and strengthens the knowledge society.

"BORDER RENAISSANCE"

The Information Center for posted workers improves and extends the service infrastructure at the border. The establishment of Information Center effectively addresses the abandoned and long-not-used customs buildings for the public needs.

How was the work on
establishment of the
Information Center for posted
workers done?



Repair

Inside repair



Inside repair



Inside repair



As the result: Information Center for posted workers on Lithuanian-Polish border



Information Center, a unique of its kind information point for posted and mobile workers is located at the cross – border territory, right on the Lithuanian – Polish border in one of the buildings of the abandoned, long unused former border control post of Kalvarija, which is completely repaired current.



Audrius Cuzanauskas,
Director of the Information
Center for posted workers

Vice President of
Lithuanian Carriers Trade
Union

Information Center for posted workers on Lithuanian-Polish border



TRADE UNIONS, TAKE PART AT THE PROJECT



1. NIEZALEZNY SAMORZADNY ZWIAZEK ZAWODOWY "SOLIDARNOSC" – KOMISJA KRAJOWA“
2. LITHUANIAN TRADE UNION "SOLIDARUMAS”
3. LITHUANIAN CARRIERS’ TRADE UNION
4. LATVIAN TRADE UNION OF PUBLIC SERVICE AND TRANSPORT WORKERS
5. ESTONIAN TRANSPORT AND ROAD WORKERS' TRADE UNION

These violations of the Posting of Workers Directive were identified :

- ✓ The driver's salary is based on kilometers traveled, which is prohibited by the EU regulation
- ✓ The employment contract provides 100 percent per diem, while paying 30-50 percent.
- ✓ The driver himself pays the charges for roads, the other infrastructure, the money spent on him is not repaid
- ✓ Some companies charge a job in the EU (EUR 1.5 per day) from employees of the Eastern Partnership (BLR, UKR, RU)
- ✓ Employees are forced to repair the company's equipment (trucks) themselves (from salary)
- ✓ Mismatch of rest and working time (while the driver waits for a loading his truck with a goods, waits for the documents or must help to load a truck, he is converted to show that this is his rest period
- ✓ et cetera...

State Labour Inspectorates



TÖÖINSPEKTSIOON



State
Labour Inspectorate
Republic of Latvia

Recommendations for Improvement of the IMI System. The situation analysis assesses the effectiveness and relevance of the IMI system and focuses on detecting and assessing administrative burdens and identifying opportunities for development. The recommendations are based on the situation analysis in Poland and the Baltic States.

Communication plan for enhance enforcement of Directive proposes assess the communication effectiveness of competent state institutions and social-economic partners by assessing administrative gaps and identifying opportunities for development. The communicative strategy will be proposed as a problem solving tool. The recommendations will be based on the situation analysis in Poland and the Baltic States .



Lithuanian Confederation of Industrialists

Vilnius Industry and Business Association

Lithuanian National Road Carriers Association "LINAVA"

The Posting of Workers Directive takes care of how to spend money, not how to earn

Recommendations to complement the Directive:

✓ Taxes must be calculated from the created and received added value.

✓ If the minimum wage is set, the minimum conditions are set, then minimum return of the capital for the investor should be set as well; then everything will go upright. Under the current conditions: the employer must pay all the minimum expenses for all and the employer can stay without nothing;

from discussions with employers...

- The competitive advantage of a service that allows an enterprise to provide **its services abroad** is almost always **a lower service cost**, which is why the company goes to the foreign market.
- If the services are lower in price, income will be lower as well.

But from the income employer still have to deduct all the costs, so the exporter's benefits will always cost more than local provider.

from discussions with employers...

The right and decent source of all living of the employees, the unemployed, the civil servants are **created and received added value**, which is divided into 4 parts:

- taxes
- salaries
- provision of work places
- net profit or otherwise called return on capital.

So the Directive requires the costs be equally, regardless of the added value is created and earned:

For example pay a minimum salary, regardless of whether the employee has developed a minimal product.....

or simply abandon the return on capital (as employer).

from discussions with employers...

- An investor, who creates jobs loses any motive for further developing it, and for what..... to put own money where is no even minimal return ?... let others make it...

from discussions with employers...

- *as well as the employers* are not all equally honest and correct, there are those employers, who have not created the right working conditions or made the necessary investments, but even without doing it, they want to get an undeserved return (profit): that is why tax evasion (tax avoidance) takes place, or employees do not receive adequate wages....
- So, therefore, employers must have the same rule: if the employer contributed to the creation of added value with his own money, work or his great mind, he must regain their share.

Employers' discussion:

- **What is work? What is the purpose of the work?**



- Work is an activity that creates a product or service that meets the needs of other people or solves other people's problems. This creates the result.

Employers' recommendations to trade unions:

- The main *strength of the trade unions in the future and weakness in the present*, that they do not fight for the result, or do not influence the result; Instead, trade unions requires, that members of trade unions will be paid (not allways fully aware of the situation): they are fighting for costs, but do not want to be involved in generating revenue (income).

Paldies



Projektų valdymo ir mokymo centras

Dziękuję

Thank you

Tānan teid

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Ačiū