

FLORENCE ROAD TRANSPORT FORUM

A EUROPEAN SINGLE MARKET FOR ROAD TRANSPORT? FROM PATCHWORK TO A WELL-FUNCTIONING AND SOCIALY FAIR EU ROAD TRANSPORT MARKET

Matthias Finger | FSR-Transport, EUI / Chair MIR, EPFL

Sala Triaria

Villa Schifanoia, Via Boccaccio 121 - Florence

23 JANUARY 2017

INTRODUCTION

The EU single market for road transport has established harmonised rules in several areas such as access to the profession and market, working and driving time, and rest periods. Also, it has led to more efficient and customer-oriented transport services and safer operations.

However, the sector is suffering from some major imperfections. Some hauliers make use of “letterbox” companies to circumvent labour laws of the country they are actually primarily operating in. Often drivers are paid under the labour laws of a given country, despite spending the majority of their time in other countries. The definition and application of the condition of “posted worker” is rarely recognised and even less enforced. Protection of workers is essential. However, uncoordinated national initiatives to protect national workers (e.g. minimum wage laws, prohibition for drivers to have their regular weekly rest in the cabin of the vehicle) fragment the international road transport market.

International transport operations have been fully liberalised in the EU, yet the market is not operating efficiently because restrictions remain on cabotage operations. Member States interpret these restrictions differently and sometimes try to limit operations by foreign hauliers. Above all, EU rules can only be effective if their enforcement is guaranteed in all Member States – which is not the case at present.

How can these imperfections on the market side as well as on the social side be overcome?

The Florence Road Forum will take stock of existing initiatives and look at new approaches to solve some of the most pressing issue in the European road transport market. Following the usual format of the Florence Transport Forums, in each session speakers and participants will have the chance to contribute to the discussion moderated by Prof Matthias Finger (École polytechnique fédérale de Lausanne and European University Institute). Representatives of the European Commission, of major stakeholders as well as leading academics will engage in the discussion. Discussions will address four

central questions:

- How can the problem of “letterbox firms” in the road sector be tackled effectively?
- How to ensure proper enforcement of EU labour rules in the road sector?
- How can cabotage rules be made clearer and easier to enforce, so that the same rules apply across the EU?
- How to balance the free market and the protection of social rights of workers in the sector?

PROGRAMME

- 09.00 - 09.30 **Introduction to the Forum**
Matthias Finger | FSR-Transport, EUI / Chair MIR, EPFL
Eddy Liégeois | European Commission
- 09.30 - 11.00 **How can the problem of “letterbox firms” in the road sector be tackled effectively?**
Myriam Jans | Dutch Association for Transport and Logistics
Jan Nemec | International Road Transport Union
Round Table Discussion
- 11.00 - 11.15 Coffee break
- 11.15 - 12.45 **How to ensure proper enforcement of EU labour rules in the road sector?**
Gerard Schipper | Euro Contrôle Route
Round Table Discussion
- 12.45 - 13.45 Lunch break
- 13.45 - 15.00 **How can cabotage rules be made clearer and easier to enforce, so that the same rules apply across the EU?**
Joanna Jasiewicz | Transport and Logistics Poland / Gide law firm
Elizabeth Shovelton | Department for Transport UK
Round Table Discussion
- 15.00 - 15.15 Coffee break
- 15.15 - 16.30 **How to balance the free market and the protection of social rights of workers in the sector?**
Dirk Saile | German Road Haulage Association
Eddy Liégeois | European Commission
Round Table Discussion
- 16.30 - 16.45 **Conclusions of the Forum**
Matthias Finger | FSR-Transport, EUI / Chair MIR, EPFL