

**Question for written answer E-002021/2024
to the Commission**
Rule 144
Johan Danielsson (S&D)

Subject: National attempts to limit long subcontracting chains and the Commission implementation report on the Posting of Workers Directive

The Commission's report¹ on the application and implementation of the Posting of Workers Directive identifies several issues related to long and abusive subcontracting chains. These include, but are not limited to, non-compliance with remuneration rules, false postings, the use of letterbox companies, and bogus self-employment.

The report also recommends that Member States and social partners adopt 'good practice' policy initiatives to reduce these risks: '[t]hese good practices include limiting the number of levels in subcontracting chains and/or extending the subcontracting liability to the full chain'.

At the same time, Member States acting in line with this recommendation have often faced significant legal hurdles. These range from court and infringement cases against those Member States that have already moved ahead, to significant legal uncertainty in those Member States where measures are still being assessed.

This raises the following questions:

1. How is the Commission planning to increase national uptake of the good practice of limiting the number of levels in subcontracting chains, particularly in high-risk sectors?
2. What immediate action can the Commission take to reduce legal uncertainty for those Member States that have not yet introduced a limit on long subcontracting chains in high-risk sectors?

Supporters²

Submitted: 10.10.2024

¹ Commission report of 30 April 2024 on the application and implementation of Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (COM (2024)0320).

² This question is supported by Members other than the author: Estelle Ceulemans (S&D), Gabriele Bischoff (S&D)