

Considerations on the posting of workers within the European Union

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Abstract: This paper is limited to the current concerns at European level generated by the scale and consequences of the phenomenon of posting of workers in cross-border services. The different, sometimes opposite, perception of these issues has led to the active involvement of many stakeholders, from the European institutions to the governments of national states, trade unions and employers' organizations in trying to give the strongest possible foundation to initiatives to change the legal framework.

The adoption of new regulations and the creation of mechanisms that enable the collection of complete and accurate information are considered necessary to outline a topical picture of the posting of workers within the Community and to develop strategies that contribute to the manifestation of an 'equitable' labour market and fair competition between European companies, as well as to provide an adequate level of protection of the rights of workers posted for the provision of cross-border services.

Keywords: *transnational posting, posted workers, cross-border services, labour force mobility*

1. Setting out a roadmap for the posting of workers at European Union level

Currently, a number of studies addresses the issue of posted workers with an emphasis on wage provisions and working conditions, but there is also the need to ensure a climate of fair competition and respect for the workers' rights, presenting the current situation in a country (Italy in the case of Ianuzzi Francesco, Finland in the case of Lillie Nathan and Markku Sippola or Germany in the case of Vladimir Bogoeski), as well as at the level of the European Union (Lillie Nathan, KairitKall, Ian Greer, Aukje Van Hoek, Mijke Houwerzijl) or a field of activity (Pablo Sanz de Miguel, Michiel Rogierrs, Sonila Danaj). Choosing as a research methodology, the analysis based on an extensive literature review, it can highlight the ongoing concerns of adapting European and national legislations to labour migration and to workers' rights, but also a number of issues that remains unresolved: "either lack (effective) of strategies focused on posted workers or considered this as a target group outside their jurisdiction or just too difficult to engage with." [11].

Ensuring economic growth and a standard of living as high as possible for the citizens are the desideratum of all states, imposing an economic development that requires a demand for labour which, in the case of developed countries, often exceeds the 'internal resources' at the level of certain activities, economic sectors or skills, despite the phenomenon of labour force migration. One of the solutions that companies use for the temporary supplementation of the workforce is the use of workers posted for certain periods of time from other states, a process regulated in the European Union since

1996 through Directive 96/71/EC regarding the posting of workers in the framework of the provision of services [18] comprising a set of minimum conditions relating to wages, maximum work period, annual leave or conditions of employment which apply to all posted employees. Based on the fundamental principles of the internal market set out in the Treaty on the Functioning of the European Union (TFEU), namely the free movement of workers, the freedom of establishment and the freedom to provide services, companies have been guaranteed the right to provide services in another Member State of the European Union and to temporarily post their workers to the territory of that Member State for that purpose; posted workers have the same legal status as their own employees, except for the social security system (pension insurance, accidents at work and occupational health, health insurance, family benefits) and tax obligations, in which case employees are subject to the law of the state of origin. The legal regime of the host country also applies, in general, to the length of the working day, the minimum rest period, paid annual leave, the minimum wage, the place of work, health, as well as to measures for the protection, safety and hygiene at work, working conditions for pregnant women or women who have recently given birth, to equal treatment for men and women and other anti-discrimination measures [3].

Allowing for the fact that labour market conditions have changed over time and that a number of issues have either not been regulated at all or have been insufficiently addressed (insufficient administrative supervision, poor communication between Member States on the exchange of information etc.) - due to abusive or fraudulent practices, European legislators considered it necessary to revise the rules, initially set out through Directive 2014/67 and followed by Directive 957 in 2018. The rules imposed by Directive 2014/67 aim to "improve access to information for both Member States and service providers, the information being transparent, free of charge, in an accessible format and published on a single official website, in multiple languages, taking into account the demands of the labour market in the host countries. In the same context, cooperation between Member States was expected to be improved through the use of the Internal Market Information System (IMI)." [3]. At the same time, the Directive improved the implementation of workers' rights, including the case of subcontractors, by introducing joint liability of companies using posted workers, which is compulsory in the construction and transport sectors, with the possibility of extending it to other sectors. [...] In order to monitor the correct implementation of the Directive, a list of control measures at national level was provided, which could be amended by host countries, if they thought it necessary." [3].

The adjustment made by Directive 957 of the European Parliament and of the Council of 28th June, 2018 amending Directive 96/71/EC on the posting of workers in the framework of the provision of services (Directive (EU) 2018/957) was aimed at 'encouraging the free provision of services across borders, in a climate of fair competition, respecting workers' rights and adapting to new economic and social conditions, as well as an improvement of the EU legislation in this field'. Its adoption due to a vote in the European Parliament gave EU member states a two-year deadline to transpose this directive into national law.

The rights of posted workers relate to working conditions, accommodation, health and safety (which must comply with the national rules of the Member State where the workers are posted), wages (the principle of equal pay has been implemented through secondary legislation and covers not only equality between men and women, but also equality between fixed-term workers and permanent contract workers carrying out similar work, between part-time and full-time workers and between temporary agency workers and employees of the host company carrying out similar activities), covering accommodation costs, transport and meal expenses (posted workers must benefit from at least the same allowances or the same level of reimbursement of transport costs and accommodation applicable to local workers in the host country), non-discrimination provisions, as well as the right to receive, from the host Member State, general information on national law and/or national practices applicable to them. [17, 18].

Taking into account the fact that the posting takes place for a fixed period (and this period may exceed 12 months or even 18 months), and that the posted worker may be made available to a host company by a temporary employment company or a temporary employment agent, the aforementioned

Directive 2018/957 can be corroborated with European Directive 2008/104/EC of the European Parliament and of the Council of 19th November, 2008 on temporary agency work, the principle of which is that the basic working and employment conditions applicable to temporary agency workers should be at least those which would apply to such workers if they were recruited by the user undertaking for the same job. [20].

The main amendments made by Directive 2018/104 to the previous Directive relate to [22]:

- remuneration of posted workers is made in accordance with the law and practices of the host country; Remuneration means both wages and other elements (bonuses, allowances, salary increases, etc.), Member States being obliged to specify in a transparent manner the elements that make up the remuneration in their country;
- the employer must cover the costs of travel, accommodation and meals (instead of deducting them from employees' wages);
- the maximum period of posting was set at 12 months, with a possible extension of up to 6 months. After that, all labour rules in the host country will apply;
- temporary employment agencies must guarantee posted workers the same conditions applied to temporary workers employed in the country where they work;
- cooperation in the field of fraud is strengthened. The new rules will apply to the transport sector once the legislation on this sector comes into force.

Although the European Commissioner for Employment, Marianne Thyssen, believed that the vote in the European Parliament 'constitutes an important step in the process of building a more equitable single market', this directive has led to the creation of two opposing camps (made up of European Union institutions, trade unions, employers' organisations and other stakeholders): one that shares the European representative's point of view and includes in particular defenders of the interests of states where the share of posted workers in their country is large (e.g. France, Germany, Austria, Belgium, the Netherlands, Sweden or Luxembourg). Of these, France, Germany and Belgium hosted together 50% of the workers received in 2016 [7]) and considered that by not intervening at the level of Directive 96/71/EC, posted workers from Eastern European countries such as Romania, Bulgaria or Poland, 'accustomed' to lower wages, will take over the jobs in these countries. Although companies that use these workers can increase their earnings as a result of lower labour costs, at the level of the national economy, the losses are estimated to be higher as a result of the increase in unemployment among the resident population and their social welfare expenditures. In fact, this has been the case since the establishment of the European Union and it expanded when the newly acceded states, with a lower standard of living than in the EU started the 'export' of labour force either indefinitely, in the form of external migration, or for a fixed period of time in the form of posted workers by a subcontractor. Even if the supporters of this directive admit that 'companies that post workers in low-wage sectors, such as constructions, will be affected and that the new rules will increase wage costs for companies that post workers, they can still remain competitive due to lower costs of social security and the income tax which is lower than in some host states'. [3].

On the opposite side, there are the defenders of the interests of the countries "exporting" mainly posted workers (Bulgaria, Czech Republic, Estonia, Hungary, Lithuania, Latvia, Poland, Slovakia and Romania) who see in this vote an elimination of their competitive advantage compared to competing economic agents from the developed countries of the European Union, represented by the practice of remuneration at the level of their country, not of the country where they posted the workers. In Romania, the National Council of Small and Medium Private Enterprises (CNIPMMR) had a sharp point of view by which it asked the Romanian MEPs to oppose the proposal to revise Directive 96/71/EC based on considerations such as [5]:

- 'there is a comprehensive legal framework: Directive 96/71/EC on the posting of workers in the services sector has already laid down a set of mandatory and restrictive rules on employment terms and conditions applied to posted workers and it has also established additional rules on the posting of workers by addressing issues related to fraud, circumvention of regulations and the exchange of information between Member States';

- there is a need for a broad and rigorous analysis of the available data on the challenges and specifications of cross-border services and the SMEs Test to change the legal framework in this area;
- "free movement of services" is a fundamental principle of the internal market of the Union, enshrined in the Treaty on the Functioning of the European Union (TFEU);
- the principle that posted workers should be subject to the same pay rules as local employees is incompatible with a genuine single market, in which sustainable economic development is driven by efficient, innovative and competitive companies, with pay gaps being a legitimate element of the competitive advantage that service providers have;
- the principle that posted workers should be subject to the same pay rules as local employees is not feasible in practice because: cross-border service providers incur costs that are not borne by local service providers; local employers pay for their employees only staff salaries, taxes and insurance contributions; significant differences in wages do not distort the conditions of fair competition between companies, the total cost (including wages, daily allowances, transport costs, administrative costs) of a cross-border service provider is not significantly lower than the one borne by local businesses and the profit of a cross-border service provider has very low margins in order to be competitive; one must also take into account the differences that exist between Member States, resulting from different levels of economic development, tax systems, labour law and social protection regulations, etc.

The transnational movement of workers is amplified not only by wage disparities between EU member states, but also by the need for skilled and highly skilled labour force, which can be found mainly in developed countries. [7].

The concerns of all states in managing the issue of posting of workers from cross-border services (even if their position is influenced by the place occupied within the framework of posting: senders or receivers of posted workers), is justified by the evolution and size of this phenomenon: in 2016 in the EU, the number of posted workers reached 2.3 million (chart 1), with a high frequency of posting occurring in certain economic sectors such as industry (69.1%, of which 45% in constructions), services (29.4% comprising mainly education, health and social services) and 1.5% in fishing and agriculture (chart 2).

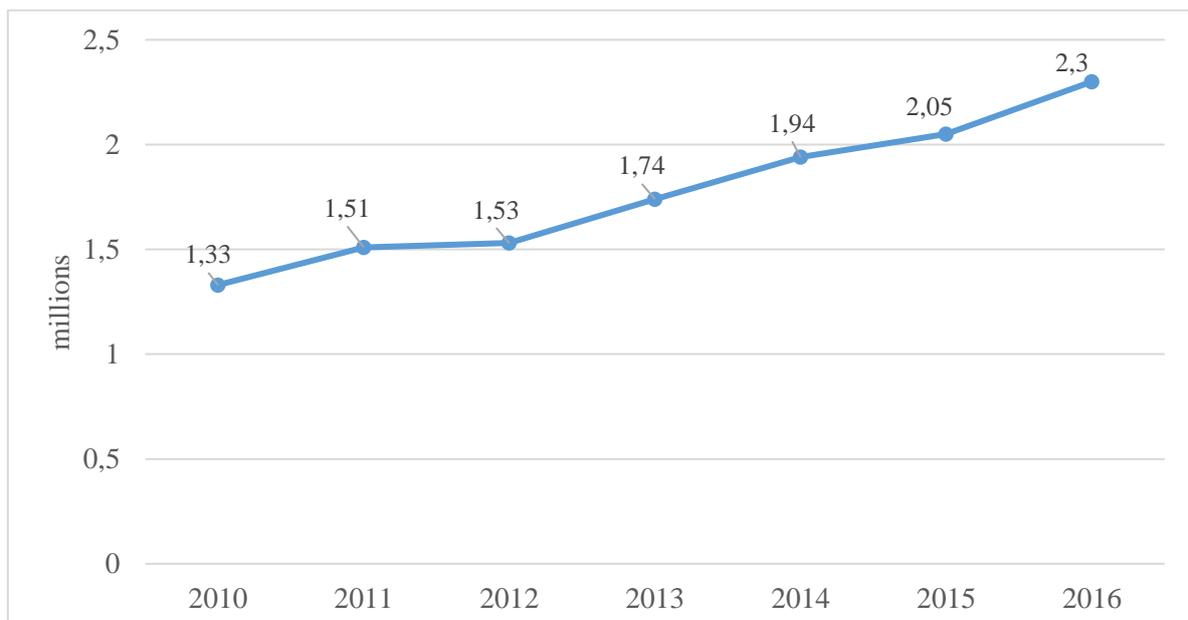


Chart 1 Evolution of the number of posted workers in the European Union

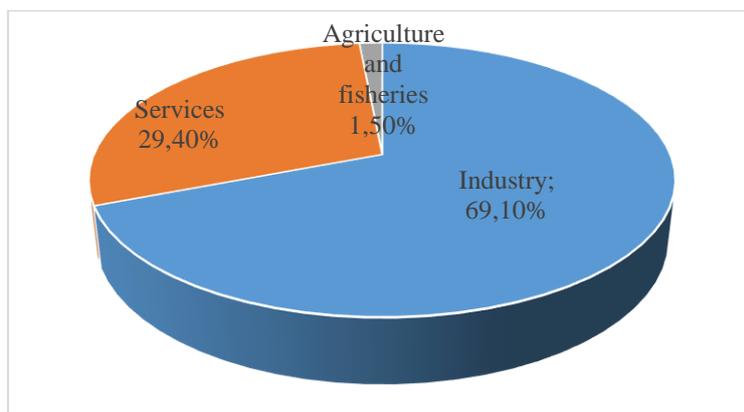


Chart 2. Number of posted workers by economic sectors (2016)

Although between 2010 and 2016, their number increased by 41%, the share of posted workers in the total labour force is low, at 0.4% in the European Union [2], which makes the impact of postings to be limited if total employment rates are taken into account; however, if we consider the employment rates at the level of certain sectors of economic activity, such as construction, or of certain countries, such as Germany, France or Belgium, these numbers will increase significantly.

82.3% of the number of secondments was made to 15 countries. Germany, France, and Belgium received the largest number of posted workers, hosting together 50% of the workers received. [22]. For example, in 2015, 285,000 workers were posted to France (the second most sought-after host country); by comparison, in 2000 there were only 7,500 posted workers working in France [14]. The average duration of secondments to the EU is less than 4 months. [2].

In the study conducted by the European Parliament - *Posting of Workers Directive - current situation and challenges. Study for the EMPL Committee (2016)*, the authors noted 'a significant lack of reliable information on the posting of workers within the European Union, most statistics being made for the purpose of ensuring social protection [...] the estimation method used by the EU Commission is based on an analysis of the number of portable social security documents A1'. The discrepancies between the real situation and that provided by these data can be significant and are due, according to the study, to the fact that, for example, companies may not request the A1 forms if the worker is being posted for a very short period of time, but they are needed for social security only. In addition, postings lasting more than 12 months are not considered secondments in terms of social security. In conclusion, the same worker may be registered several times within a year; therefore, the A1 forms would only reflect the number of registrations and not the number of posted workers. At the same time, the study carried out by the European Commission in 2016, *Impact Assessment. Accompanying the document Proposal for a Directive of the European Parliament and the Council amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services*, shows how large differences can be between the actual situations and those provided by the A1 documents by presenting the case of three States: Belgium, Denmark and France at the level of 2014:

Table 1 Comparison between EU and national data sources on received posted workers (2014)

Country	Number of PD A1 received (EU data)	Number of registrations (national data)
Belgium	159,753	Number of declarations: 499,840 Number of unique persons: 205,279
Denmark	10,869	59,351
France	190,848	228,650

Source: European Commission, IMPACT ASSESSMENT. Accompanying the document Proposal for a Directive of the European Parliament and the Council amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services, SWD(2016) 52 final, <https://ec.europa.eu/transparency/regdoc/rep/10102/2016/EN/SWD-2016-52-F1-EN-MAIN-PART-1.PDF>

2. Legal Romanian framework for posting workers

According to the Labour Law, the secondment is 'the act by which an employee is assigned on a temporary basis to work for another host employer, in order to carry out work in his interest. Exceptionally, secondment may also change the type of work carried out, but only with the written consent of the employee.' [24].

In Romania, the regulation of the aspects derived from the posting of employees to carry out transnational services is subject to Law No. 16/2017 which establishes 'a common framework of provisions, measures and control mechanisms applicable in Romania to posted employees in the context of carrying out transnational services, including measures to prevent and sanction any abuse or circumvention of the rules' [23]. When posted workers are taken into account, the provisions of the law apply to both the companies established within a Member State other than Romania, or on the territory of the Swiss Confederation which, within the provision of transnational services, sends employees to Romania with whom they have struck up working relations and to enterprises set up in Romania which, within the framework of the provision of transnational services, posts employees to EU Member States, other than Romania or to Switzerland.

The institutional framework for implementing and complying with the provisions of Law no. 16/2017 in the sense of identifying the cases of transnational posting and preventing abuses and circumvention of the provisions of the law is provided by the Labour Inspectorate, through the territorial labour inspectorates. The Labour Inspectorate is the public authority with liaison offices, which exchanges information with the competent institutions of the EU Member States or the European Economic Area. Thus, in the light of the administrative cooperation, at the level of 2019 [8] the Labour Inspectorate has received:

- requests for communication of the decisions imposing financial-administrative sanctions on various Romanian employers whose employees provide transnational services (from Austria - 23 and Italy - 4);
- requests for information requesting details of: the Romanian company which posts employees (head office address, proof of RECOM registration, activities carried out and the period of time, authorizations in the case of temporary work agents); employees of the company (individual employment agreements, duration of posting, salary rights as per employment contracts registered in the country, etc.); the existence of special allowances relating to secondment; payment of contributions to the consolidated budget of the state; A1 forms issued by the National Office of Public Pensions; wages paid to workers during posting (from Austria - 242, Belgium - 103, France - 52, Italy - 49).

During the same period, the liaison office of the Labour Inspectorate sent a number of 34 requests for information to offices in Italy, France, Germany, the Netherlands, Hungary, Bulgaria, Sweden, Belgium, etc. on the posting of employees in transnational services. The main shortcomings identified as a result of checks on the legality of the work carried out by undertakings established in an EU or EEA Member State which post employees in Romania, are the following:

- non-compliance with the obligation to send a notification in Romanian regarding the secondment of employees to the territorial job centre within the boundaries the activity is to be carried out;
- non-compliance with the deadline for submitting the notification;
- submission of incomplete or erroneous notification;
- failure to contact the representative of the company from abroad has the effect of not being able to communicate the results of the checks carried out.

In 2015, 46,871 Romanian workers were posted in the Member States of the European Union, representing 2.3% of the total number of posted workers in the EU, the main fields of activity being construction - 40.7%, industry - 38.3%, business services - 7.3%, transport - 5.5%, while the destination countries were: Germany - 37.6%, Spain - 15%, Italy - 13.9%, Belgium - 13.4%. The highest number was reached in 2011, when 59,363 posted workers were registered. [12]

Currently, the provisions of the Labour Code are not fully harmonized with those of Law no. 16/2017 and the Directive 2018/957 on the posting of workers from cross-border services.

The rules imposed by law no. 16/2017 take over the rules imposed by the European Directive 96/71/EC on the posting of workers in the framework of the provision of services, so that amending and supplementing them by Directive (EU) 2018/957 also requires amending the national legislation in the field. The first steps towards aligning national regulations with European ones are a bill submitted to Parliament where new provisions would apply from July 30, 2020, if adopted in due time by Parliament, until then the provisions of the Law no. 16/2017 remain valid. According to the explanatory memorandum [25], the new draft law seeks to clarify some notions, such as the minimum wage applicable to the employee posted to Romania, remuneration, collective labour agreements, administrative financial sanction, administrative cooperation, etc.; completing the provisions of Law no. 16/2017 on the activity of the temporary work agent within the transnational posting; regulation of the working and employment conditions applicable to employees posted on Romanian territory if the posting exceeds 12 months, and the method of calculating the duration of the posting in case of a posted worker replacing another posted worker.

3. Conclusion

Although with an extremely low share of the employed population in the European Union, the deployment of workers has received special attention from the European institutions, Member States, trade unions and employers' organizations, depending on the gains and losses associated with the amplification of this phenomenon.

As a beneficiary of a legal framework since 1996, the posting of workers in cross-border services has divided states and stakeholders at European level, given that certain issues considered insufficiently regulated has allowed, from the point of view of the 'recipient' states of a large number of workers posted from other EU Member States to lead to 'social dumping' and an unfair labour market. On the other hand, countries that post a significant number of workers to other Member States consider that the amendments made to the legal framework in 2018 by Directive 957, do not take into account some of the basic principles that govern the functioning of the European Union, such as the freedom of companies to provide services.

No matter how 'solid' the arguments of each party are, the attempts to justify them as thoroughly as possible have revealed that the dimensions of this phenomenon are insufficiently known, that there is no reliable information on which one can build a complete picture and an accurate assessment of the dimensions, consequences and trends of the movement for posting workers to other States within the Community.

In this context, the development and implementation of measures, policies and strategies aimed at stimulating fair competition, at eliminating social dumping and ensuring adequate social protection of posted workers, are considered either premature or necessary to create the most complete legal framework possible and more adapted to current realities.

The two-year period granted to the Member States of the European Union as a deadline for transposing the new provisions into national laws, requires that Romania, both a 'sender' of a large number of posted workers to EU Member States especially in the industrial field and construction, and a 'recipient' of posted workers from other non-EU countries, in particular, to be in a position to adopt a new legislative initiative as soon as possible in order to amend the existing legal framework, regardless of its reluctance and different standpoint on the new regulations.

References

- [1] Bogoeski V. (2017), *Chain liability as a mechanism for strengthening the rights of posted workers: The German chain liability model*, [Online], Available at: https://www.academia.edu/38385097/Chain_liability_as_a_mechanism_for_strengthening_the

- _rights_of_posted_workers_The_German_chain_liability_model, [Accessed 5 May 2020]Monitorul
- [2] Comisia Europeană, *Detașarea lucrătorilor în UE* [Online], Available at: https://ec.europa.eu/commission/sites/beta-political/files/posting-workers_ro.pdf, [Accessed 22 April 2020]
- [3] Direcția pentru Uniunea Europeană, *FIȘĂ DE INFORMARE Directiva 96/71 privind detașarea lucrătorilor în cadrul prestării de servicii*, [Online], Available at: http://www.cdep.ro/afaceri_europene/afeur/2016/fi_1981.pdf [Accessed 15 April 2020]
- [4] Dobrotă N. (coord.) (1999), *Dicționar de economie*, Ed. Economică, București
- [5] Dumitru I. (2017), *Detașarea lucrătorilor în Uniunea Europeană*, Ed. Universul Juridic, București
- [6] European Commission (2016), *IMPACT ASSESSMENT. Accompanying the document Proposal for a Directive of the European Parliament and the Council amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services*, SWD(2016) 52 final, [Online], Available at: <https://ec.europa.eu/social/main.jsp?catId=738&furtherPubs=yes&langId=en&pubId=8262> [Accessed 19 April 2020]
- [7] European Parliament (2016), *Posting of Workers Directive – current situation and challenges. Study for the EMPL Committee*, 2016, [Online], Available at: https://www.europarl.europa.eu/RegData/etudes/STUD/2016/579001/IPOL_STU%282016%29579001_EN.pdf [Accessed 18 April 2020]
- [8] Inspekția muncii, *Raport de activitate pentru anul 2019*, [Online], Available at: www.inspectiamuncii.ro [Accessed 24 April 2020]
- [9] Kall K., Lillie N. (2016), *Protection of Posted Workers in the European Union: Findings and Policy Recommendations based on existing research*, [Online], Available at: www.academia.edu [Accessed 5 May 2020]
- [10] Lillie N., Sippola M. (2011), *National unions and transnational workers: the case of Olkiluoto 3, Finland*, [Online], Available at: https://www.academia.edu/1401888/National_unions_and_transnational_workers_the_case_of_Olkiluoto_3_Finland [Accessed 5 May 2020]
- [11] Lillie N. (2018), *Enhancing Economic Democracy for Posted Workers: The Case of Finland COUNTRY STUDY FINLAND*, [Online], Available at: https://www.academia.edu/37697893/Enhancing_Economic_Democracy_for_Posted_Workers_The_Case_of_Finland_COUNTRY_STUDY_FINLAND [Accessed 5 May 2020]
- [12] POOSH, Occupational Safety and Health of Posted Workers (2017), *Delegare versus detașare. Lucrătorii români în Europa*, [Online], Available at: <http://www.poosh.eu/media/1064/assignment-vs-posting-romanian-workers-in-europe-rodica-novac.pdf> [Accessed 26 April 2020]
- [13] Sanz de Miguel P. (2017), *Fraudulent Contracting of Work: Construction Sector*, [Online], Available at: https://www.academia.edu/39768677/Fraudulent_Contracting_of_Work_Construction_Sector [Accessed 5 May 2020]
- [14] Teacă C. (2016), *Opt responsabili europeni cer reformarea sistemului prin care sunt detașați muncitorii în spațiul UE*, [Online], Available at: <https://www.rfi.ro/special-paris-91790-responsabili-europeni-reformarea-sistem-muncitori-detasati-ue>, [Accessed 14 April 2020]
- [15] Van Hoek A., Houwerzijl M. (2011), *'Posting' and 'Posted Workers': The Need for Clear Definitions of Two Key Concepts of the Posting of Workers Directive*, Cambridge Yearbook of European Legal Studies, Volume 14 2011-2012, [Online], Available at: https://www.academia.edu/11524664/_Posting_and_Posted_Workers_The_Need_for_Clear_Definitions_of_Two_Key_Concepts_of_the_Posting_of_Workers_Directive

- [16] ***, *Decizia 2009/17/CE a Comisiei din 19 decembrie 2008 de instituire a Comitetului de experți privind detașarea lucrătorilor*, în Jurnalul Oficial al Uniunii Europene L 8 din 13.1.2009, [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [17] ***, *Directiva 2018/957 a Parlamentului European și a Consiliului din 28 iunie 2018 de modificare a Directivei 96/71/CE privind detașarea lucrătorilor în cadrul prestării de servicii*, în Jurnalul Oficial al Uniunii Europene L 173/16 din 9.7.2018, [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [18] ***, *Directiva 2014/67/UE a Parlamentului European și a Consiliului din 15 mai 2014 privind asigurarea respectării aplicării Directivei 96/71/CE privind detașarea lucrătorilor în cadrul prestării de servicii și de modificare a Regulamentului (UE) nr. 1024/2012 privind cooperarea administrativă prin intermediul Sistemului de informare al pieței interne („Regulamentul IMI”)*, în Jurnalul Oficial al Uniunii Europene L 159/11 din 28.5.2014, [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [19] ***, *Directiva 96/71/CE a Parlamentului European și a Consiliului din 16 decembrie 1996 privind detașarea lucrătorilor în cadrul prestării de servicii*, OJ L 18 din 21.1.1997 [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [20] ***, *Directiva 2008/104/CE a Parlamentului European și a Consiliului din 19 noiembrie 2008 privind munca prin agent de muncă temporară*, în Jurnalul Oficial al Uniunii Europene L 327 din 5.12.2008, [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [21] ***, *Directiva 91/533/CEE a Consiliului din 14 octombrie 1991 privind obligația angajatorului de a informa lucrătorii asupra condițiilor aplicabile contractului sau raportului de muncă*, în Jurnalul Oficial al Uniunii Europene L 288 din 18.10.1991 [Online], Available at: www.eur-lex.europa.eu [Accessed 12 April 2020]
- [22] ***, *#EUROPEANPARLIAMENT. *Vot în PE privind lucrătorii detașați: Remunerație egală pentru aceeași muncă în același loc**, [Online], Available at: <https://www.euractiv.ro/social/vot-in-pe-privind-lucratorii-detasati-remuneratie-egala-pentru-aceeasi-munca-in-aceiasi-loc-10885> [Accessed 7 April 2020]
- [23] ***, *Legea nr. 16/2017 din 17 martie 2017 privind detașarea salariaților în cadrul prestării de servicii transnaționale*, publicată în Monitorul Oficial nr. 196 din 21 martie 2017
- [24] ***, *Legea nr. 53/2003 Codul Muncii*, republicată în Monitorul Oficial, Partea I, nr. 345 din 18 mai 2011, [Online], Available at: http://www.mmuncii.ro/j33/images/Documente/MMJS/Legislatie/Munca/2018/20190207-L_53-Codul_muncii_ian-2019.pdf [Accessed 24 April 2020]
- [25] ***, *Expunere de motive la proiectul de act normativ Lege pentru modificarea și completarea Legii nr. 16/2017 privind detașarea salariaților în cadrul prestării de servicii transnaționale*, [Online], Available at: http://www.mmuncii.ro/j33/images/Documente/MMJS/Transparentadecizionala/2019/expunere_de_motive_detasare_prop_legea_16-2017.pdf [Accessed 24 April 2020]
- [26] ***, *CNIPMMR: Evaluarea situației de ansamblu a IMM-urilor din România*, [Online], Available at: <https://www.argumentpress.ro/cnipmmr-evaluarea-situatiei-de-ansamblu-a-imm-urilor-din-romania/> [Accessed 26 April 2020]