

**Question for written answer E-016128/2015**  
**to the Commission**  
Rule 130  
**Joëlle Mélin (ENF)**

**Subject:** Follow-up to the report by the European Economic and Social Committee (EESC) against dumping in road transport

The scope of Directive 96/71/EC is limited to the right to work and does not extend to social security entitlements. However, the rules on conflicting legislation in relation to the applicability of legal regimes concerning social security derive from Regulation (EC) No 883/2004. The applicable law as regards posted workers remains that of the country of origin. As such, the legislation of countries of origin with low social security contribution rates applies to posted workers, giving the service provider in question a competitive advantage.

In this regard, the EESC has adopted an opinion on social dumping, saying 'there is an urgent need for EU-level action to avoid the risk of fragmentation of the internal market'. It also stresses that application of the remuneration and employment conditions of the country of origin should be considered, rather than the mandatory host-state legislation.

In the light of this, does the Commission intend to review Directive 96/71/EC, in order to prevent any disparities in the remuneration of posted employees, with regard both to their remuneration and to the related social security contributions?