

**Opinion on the Proposal for a Directive of the European Parliament and of the Council
amending Directive 96/71/EC of the European Parliament and of the Council of
16 December 1996 concerning the posting of workers in the framework of the provision of
services (COM(2016) 128 final)**

The Committee on EU Policies of Italy's Chamber of Deputies,

Having examined, pursuant to Rule of Procedure No. 127.1, the Proposal for a Directive of the European Parliament and of the Council amending Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (COM(2016) 128 final);

Taking note that the proposal aims to amend the existing European law laid down by Directive 96/71/EC and set out more stringent provisions regarding transnational temporary work so as to avoid, in particular, differences of remuneration between posted and local workers where the differences benefit the undertaking posting the workers;

Aware that the proposal has not obtained the full approval of Member States and that several parliaments have adopted a reasoned opinion on grounds of non-compliance with the principle of subsidiarity;

Believing, nonetheless, that the proposal does conform to the principles of subsidiarity and proportionality in as much as European acts alone can amend a European law that is currently in force, and that the rules laid down in the proposal are consistent with its stated objectives;

Considering, moreover, that the adoption of the proposed Directive, which aims to grant appropriate protection to posted workers, will have a significant impact on the economic and social fabric of the Member States, with particular reference to small and medium-sized enterprises, and will help counter abuses in the use of workers posted to other EU Member States;

Observing that the diminution of the rights of posted workers not only undermines the principle that workers performing the same work at the same place should be remunerated in the same manner, but also confers an unfair competitive advantage on the undertakings posting the workers, with distorting effects on the European single market;

Recalling the position that the Italian Government has taken in its Planning Report on Italy's participation in the European Union for 2016 (Doc. LXXXVII-bis, No. 4), in which it undertakes to contribute to the revision of Directive 96/71/EC with the aim of preventing “social dumping”;

Considering also that in the report submitted to the Houses (in accordance with article 6.4 of Law 234 of 24 December 2012), the Government is generally favourable to the proposal, emphasising that the Directive seeks to strengthen the rules against unfair practices and support the principle of the equal treatment of workers;

Aware that this opinion, along with the Final Document approved by the Committee on Employment, should be forwarded to the European institutions as part of the so-called political dialogue,

expresses its

FAVOURABLE OPINION