



28 June 2016

Ms Mary Mitchell O'Connor, TD
Minister of Jobs, Enterprise and Innovation
Department of Jobs, Enterprise and Innovation
23 Kildare Street
Dublin 2

Dear Minister

I am writing to inform you that Congress is greatly disappointed at your decision not to transpose Article 9 of EU Directive 2014/67/EU in its entirety.

Congress is specifically concerned at your decision not to transpose 9(1)(f) - the obligation to designate a contact person, if necessary, through whom the relevant social partners may seek to engage with the service provider in order to enter into collective bargaining, in accordance with relevant national legislation.

Your decision in this regard will make it extremely difficult for posted workers, their trade unions and indeed inspectors of the Workplace Relations' Commission to vindicate their rights where breaches and abuses arise.

To characterise asking an employer to designate an individual as a contact person 'as disproportionate' seems to us somewhat perverse.

Congress believes that the decision not to transpose this article in its entirety is illustrative of a certain hostility towards workers representative bodies and to the very principle of collective bargaining.

As a result, posted workers will be left vulnerable to exploitation and abuse and the opportunity to provide them with some form of protection has been lost for reasons that seem quite dubious.

Yours sincerely



Patricia King
General Secretary

pk/nf