

DOC XVIII, n. 125 (COM(2016) 128)

On 3 May 2016, the Senate Standing Committee on Labour and Social Security adopted a favourable opinion with the following qualifications:

- 1) under Article 1, if the duration of posting exceeds twenty-four months, the Member State to whose territory a worker is posted shall be deemed to be the country in which his or her work is habitually carried out. This time-span should be reduced to twelve months;
- 2) the notion of "remuneration" is unclear;
- 3) the relevance of collective bargaining agreements should be specified in greater detail;
- 4) the requirement of website publication of the constituent elements of remuneration applicable to posted workers cannot be easily implemented in Italy;
- 5) in case of cross-country temporary work administered by an EU-based agency, early notification should be given to the authority of the country of destination and a registry of temporary workers in Italy should be established;
- 6) road transport should be taken into closer consideration.

The resolution has a number of issues that were already to be found in directive 96/71/EC.

The Senate Standing Committee on European Union Policies was not against the proposal, as per its opinion of 20 April 2016, for the proportionality principle was considered to be broadly complied with. Qualifications were expressed in order to "make the proposal more apt to pursue the stated goals and thus be more effective". In addition to the qualifications expressed by the Labour Committee, the EU Policies Committee submitted that, in cases when the posting is suspended, the limit should be considered exceeded after a longer period of time.