



# TOGETHER FOR A FAIR DEAL FOR WORKERS

Isabelle Schömann, Deputy General Secretary  
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Deputy Permanent Representatives  
of the Member States to the European Union  
COREPER I  
Council of the European Union  
[letter sent by email]

## ETUC call to postpone and further work on the draft mandate for the e-Declaration on Posting

Dear Ambassadors,

On behalf of the European Trade Union Confederation (ETUC), I am writing to you ahead of your COREPER I meeting this Wednesday 7 May 2025 regarding the Commission proposal for a *Regulation on a public interface connected to the Internal Market Information System for the declaration of posting of workers*.

ETUC calls on the EU Council Presidency and Member States to postpone this week's vote and to further work on the draft mandate of the Council for the interinstitutional negotiations on the e-Declaration on Posting.

Trade unions have a long-standing call for digital enforcement tools that protect workers' rights, promote fair competition and respect the diversity of national systems and the role of social partners. In its current form, however, the e-Declaration proposal does not deliver in terms of enforcement potential or the necessary flexibility for national systems. These concerns are further elaborated in our [ETUC Position on the e-Declaration on Posting](#) (2025).

More time and efforts are needed to ensure the e-Declaration delivers in the interest of not only businesses, but also workers, trade unions and Member States. Without this, the e-Declaration will become a missed opportunity for improved cooperation and enforcement in the internal market. Marginal savings for economic operators risks translating into increased costs for society in terms of labour violations, unfair competition and increased strain on competent authorities due to additional enforcement hurdles, unless the e-Declaration system is designed with also these considerations in mind.

While we do acknowledge that digitalisation can help to streamline the declaration of posted workers, such simplification cannot happen at the expense of the protection of posted workers or the quality of the information needed by national enforcement authorities to monitor compliance and target inspections. In order to become an attractive and effective tool, the e-Declaration must be designed as a complement and not as a substitute to national enforcement systems, ensuring it can be used to also feed into existing national systems, given the significant investments already made by many Member States into their own digital systems.

As demonstrated from the positive experiences with the European Labour Authority, there is a vast diversity in terms of national enforcement models, actors and practices that all need to be respected. Findings from ELA also highlight persisting problems of non-compliance with applicable rules on posting, and the need for enhanced cooperation and enforcement across borders. Well-targeted inspections based on accurate



information are particularly important when it comes to high-risk posting operations, involving e.g. complex subcontracting, letterbox companies, intermediaries and third-country nationals.

Clearly, a one-size-fits-all approach to enforcement does not work, as also reflected in the 29 April 2025 Opinion of the European Economic and Social Committee on the e-Declaration proposal. Proposed as a regulation based on maximum harmonisation, the e-Declaration risks depriving Member States of the margin of manoeuvre they enjoy under the 2014/67 Enforcement Directive on the Posting of Workers.

An open list of information requirements based on partial harmonisation and stronger interoperability between the e-Declaration and national systems would allow Member States to tailor the data collection to their needs, thereby also stimulating a greater uptake of the e-Declaration across both sending and receiving countries. Such a common approach rather based on minimum requirements would already offer significant streamlining potential to the benefit of cross-border activities and cooperation in the internal market.

With these issues in mind, we call on you to give this proposal further consideration, so as to ensure that the e-Declaration grasps the full potential of digitalisation and delivers in the interest of all stakeholders. We thank you for your consideration, and remain at your disposal in case of any queries.

Yours sincerely,

Isabelle Schömann,  
Deputy General Secretary of the European Trade Union Confederation