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Member of the European Commission

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Mr Jan BUCZEK
President of ZMPD
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Road Transport Carriers in Poland
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Subject: Your letter of 11 May on the application of the German minimum wage legislation to transport

Dear Mr Buczek,

Thank you for your letter addressed to President Juncker, in which you express your concerns with regard to the application of the German Minimum Wage Act (MWA) to transport sector. As transport is under my responsibility, he asked me to reply to you in this regard.

As you know the Commission supports, in principle, the introduction of a minimum wage in Germany, which is in line with the social policy commitment. However, as Guardian of the Treaties, the Commission must also ensure that the application of the German national measures to transport sector is fully compatible with EU law, notably the posting of workers directive, the principles of freedom to provide services and freedom of movement of goods, and having regard to the principle of proportionality.

Following an exchange of information with the German authorities and thorough legal assessment of the German measures the Commission decided on 19 May to launch an infringement procedure against Germany, concerning the application of the Minimum Wage Act to the transport sector¹. The German authorities replied to the letter of formal notice, which is now being assessed.

At this stage it is too early to speculate on further decisions of the Commission in this complex case. Only after a thorough analysis of the reply of the German authorities to the letter of formal notice the Commission will be in position to consider the most appropriate actions to take.

Yours sincerely,


Violeta BULC

¹ http://europa.eu/rapid/press-release_IP-15-5003_en.htm