

The People's Movement campaigns against any measures that further develop the EU into a federal state and to defend and enhance popular sovereignty, democracy and social justice in Ireland.

Yet another EU judgement undermines negotiated conditions in the labour market

Last month the European Court of Justice delivered a ruling in the so-called Ruffert case. The case concerns a conflict between the German land of Lower Saxony and the construction firm Objekt und Bauregie GmbH. In the state law of Lower Saxony concerning tenders for public contracts it is stated that companies and their sub-contractors must pay employees the salary fixed according to collective agreements.

This provision was incorporated in the contract between Lower Saxony and the firm, but it was broken when a Polish sub-contractor of the latter, PKZ, paid its 53 employees only 46.57 per cent of the fixed minimum salary. The court has determined that the EU rules concerning the free exchange of services prevent local authorities demanding that "posted" workers must be paid according to the current agreement in the area in question.

With the Ruffert judgement the EU court has rejected the principle that municipalities or other public authorities can demand that suppliers and sub-suppliers live up to current salary and working conditions in the geographical area in question.

It shows that EU single market rules cause problems for the rights of workers in the whole of the EU. The court's ruling means that it is now impossible to prevent the unequal treatment of posted workers. If December's Vaxholm judgement against the right to strike was a warning to all workers in the EU, the Ruffert judgement is an open declaration of war on hard-won workers' rights. Trade unions should forcefully resist this race to the bottom and the emasculation of "social Europe" in the interests of the "single market."

No matter what the trade unions' attitude is to the Treaty of Lisbon, they must all agree that support for it would be unacceptable as long as the right to oppose social dumping is not secured.

Patrons: Robert Ballagh, Ald. Declan Bree, Cllr Neil Clarke, Raymond Deane, Cllr Betty Doran, Tony Gregory TD, Terence P. McCaughey, Finian McGrath TD, Prof. John Maguire, Cllr Bronwen Maher, Dervla Murphy, Joe Noonan, Cllr Chris O'Leary.

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