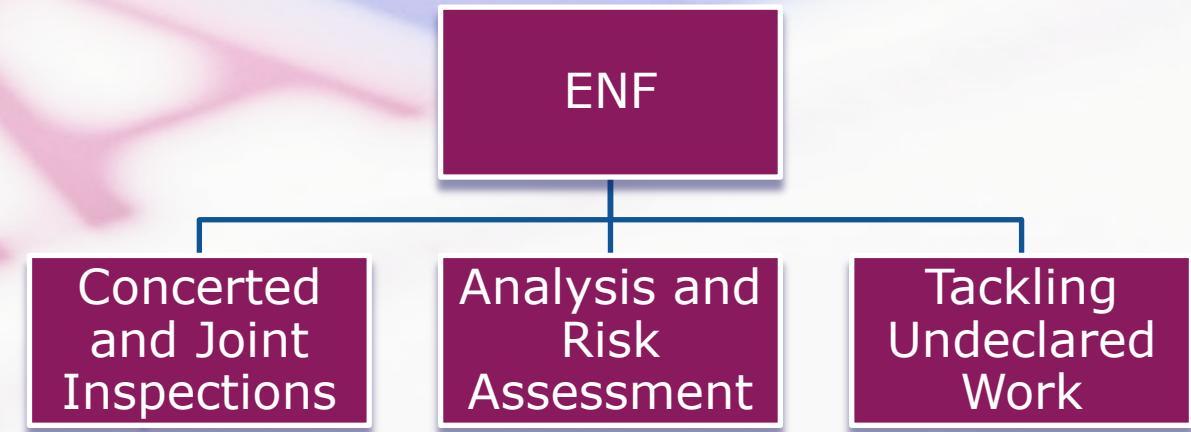




Enforcement of labour mobility rules in the IWT sector: the role of ELA

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ELA: areas of competence and key objectives



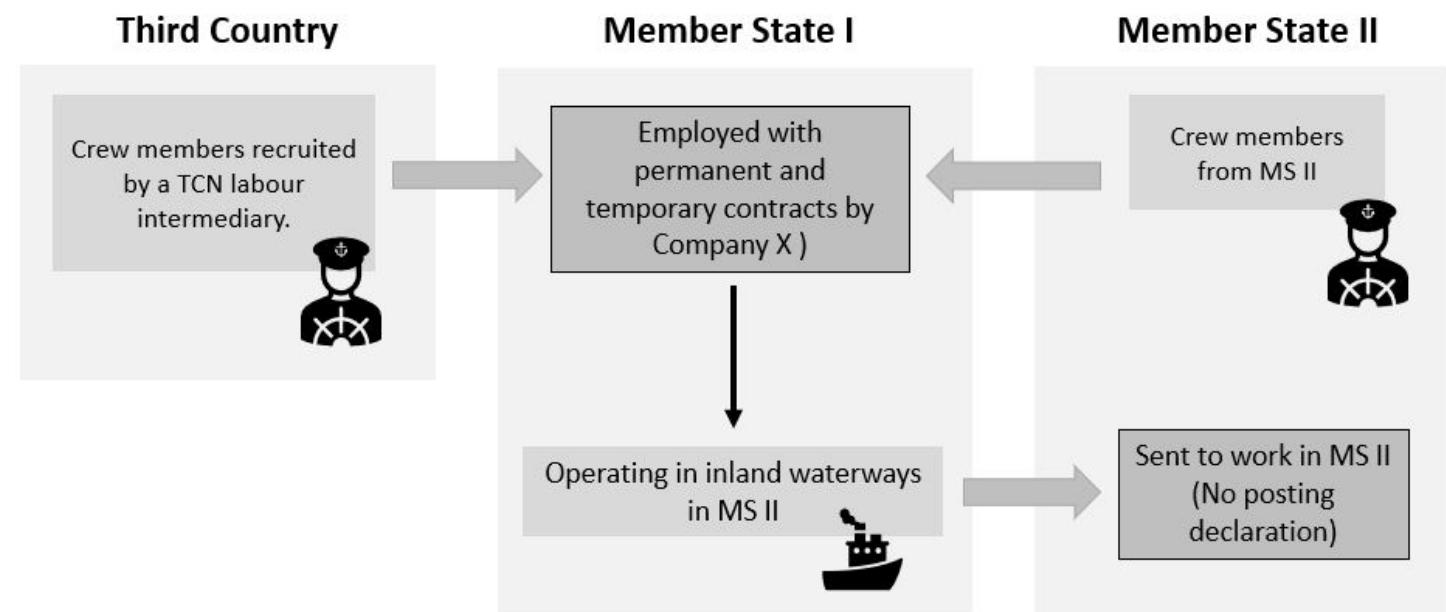
Enforcement supported by ELA and AQUAPOL in the IWT



Year	Total CJIs	
2023	3	3 CJIs during the WoA in IWT (September) <ul style="list-style-type: none">○ 5 MSs (AT, FR, DE, NL, SK)
2024	10	8 CJIs during the WoA in IWT (September) <ul style="list-style-type: none">○ 6 MSs participating (AT, BE, DE, FR, NL, PL);
		1 CJIs: FR-PT Joint inspection (June)
		1 CJI: DE-AT Joint inspection (November)
2025	2	2 CJIs: DE-SK (May)

A case study from ELA supported CJI in IWT

- A cruise boat with approx. 70 crew members (mainly TCNs and some nationals of MS II).
- TCNs are recruited by an agency based in third country, but the crew employment contracts refer to the labour law of MS I.
- The crew's working and living conditions are problematic, with cramped cabins where 3–4 workers share space, and long-hours working shifts.
- The boat operates exclusively in the inland waterways of MS II, and although workers have contracts under MS I law, they work on boats operating in MS II without posting declarations.
- Social security contributions are paid in MS I.



Main challenges in the IWT sector (findings from CJI results)

Assessment of working time



Undeclared and underdeclared work



Determination of applicable legislation and cross-border jurisdiction gaps



Access of inspectors to vessels



Hard-to-identify employers



Access to data and cross-border cooperation



Report on the 2023 concerted and joint cross-border inspections:

Labour and social security rights in inland waterway transport

September 2024



Scope and objectives of the upcoming study

1. Overview of the sector



To analyse the current situation in terms of workforce, undertakings and their practices, national developments and economic outlook.

2. Legal analysis



To analyse enforcement of EU-level labour mobility and social security coordination rules

3. Enforcement competences



Overview of the enforcement competences related to the IWT sector

4. Enforcement challenges and guidance



- Description and analysis of legal and operational challenges enforcement agencies face
- Legal and operational guidance for enforcement agencies



Thank you for your
attention!



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