

EFBWW & FIEC

Joint Position on the e-Declaration Proposal

Regulation on a public interface connected to IMI for the declaration of posting workers - COM(2024) 531

As the recognised European social partners for the construction sector, EFBWW and FIEC support the digitalisation of declaration systems, as a means to strengthen compliance and reduce administrative burdens. We take note the European Commission's proposal for a public interface connected to the Internal Market Information System (IMI) for the declaration of posting of workers (COM(2024) 531), also known as the e-Declaration Portal, and while we support its overall objective, we maintain major reservations.

The original Commission proposal presents an unacceptably restrictive approach which fails to provide legal certainty for existing and well-functioning national systems. Due to its sensitivity to fraud, the EU construction industry needs strong oversight. Therefore, it requires efficient tools for effective enforcement in order to support a level playing field and allow flexibility for Member States.

With the Council having adopted its General Approach in May 2025 and the European Parliament having adopted its position on 10 September 2025, trilogue negotiations have begun.

FIEC and the EFBWW recognise that while the Parliament's position falls short of the open-list approach we have consistently advocated. It would allow Member States to maintain and adapt existing systems, while encouraging the development of digital declaration tools where none currently exist.

Nevertheless, as trilogue negotiations begin, FIEC and EFBWW jointly call for:

- **A voluntary, multilingual, user-friendly digital interface that supports enforcement in sensitive sectors like construction;**
- **A standard form which provides flexibility for Member States to add information requirements for their specific national and sectoral contexts;**
- **Full respect and legal certainty for existing national systems, including those using social ID cards and other enforcement tools in construction;**
- **Formal involvement of sectoral social partners in defining information needs particular to their sectors;**
- **An assessment of the tool's effectiveness and impact on national enforcement mechanisms.**

The EFBWW and FIEC are ready to support a strong and flexible enforcement tool that improves enforcement, upholds fair competition and respects Member State autonomy.