

Joint position of EFBWW and FIEC on the forthcoming Construction Services Act

As the recognised European social partners for the construction sector, EFBWW and FIEC take note that the European Commission announced in its Single Market Strategy that ‘a Construction Services Act would be presented to lower barriers to cross-border market access for construction and installation services’.

Despite a relatively high mobility of workers, construction activities remain local. Indeed, the construction sector is mainly composed of SMEs operating essentially at local or regional level. Even some big construction companies opt for local branches rather than cross-border activities. Thus, **it cannot be compared to other sectors.**

EFBWW and FIEC insist that construction is a highly fragmented and a fraud-sensitive sector that requires effective tools in order to ensure proper enforcement of labour, social and health and safety rules (e.g. social ID cards in many countries). These tools support fair competition and allow for flexibility in Member States.

While better mutual recognition and better exchange of information between Member States are welcome, EFBWW and FIEC cannot support any proposed Construction Services Act that risks undermining national frameworks that protect workers and guarantee high standards and their enforcement.

Accordingly, EFBWW and FIEC jointly call for:

1. **High health and safety standards at work**

Occupational Safety and Health (OSH) is of the utmost importance to our industry and any initiative should not affect the existing national standards. **While improving and facilitating the recognition of OSH training should be envisaged**, this should never be at the expense of the high standards needed in the construction industry. Therefore, OSH must remain a non-negotiable cornerstone of any Construction Services Act. The Act should neither lower nor create circumstances that would facilitate the circumvention of existing national or EU OSH rules in the name of market access or administrative simplification. Clear and proportionate liability, effective enforcement across the industry, including in subcontracting chains, and a strengthened role for social partners in prevention and training are essential to protect workers and guarantee the respect of OSH standards.

2. **No one-size-fits-all approach**

A one-size-fits-all approach risks weakening the standards that exist to keep workers safe. **National building codes and technical standards are rooted in local and regional contexts and traditions**, and a downward harmonisation is neither feasible nor desirable, given the differences in legal systems, climate conditions and insurance and liability regimes.

3. **Mutual recognition of skills, qualifications and regulated professions is welcome where appropriate**

EFBWW and FIEC are surprised by the assertion that a high number of regulated professions constitute a significant barrier to cross-border operations in the construction sector. The construction sector relies on being able to trust the validity and appropriateness of the qualifications which have developed over their long histories and must be protected from being undermined by bad faith actors to recruit underqualified workers. Ensuring mutual recognition is only feasible within the limits of what is comparable; it must not undermine national standards and VET systems, and it should be absolutely fraud-proof. Special attention must be paid to mandatory OSH training requirements, which are integral to professional competence in construction.

4. **Interoperable social ID cards that support enforcement**

Social ID cards are tools adopted voluntarily in some Member States, developed in most cases by the social partners. Their added value has been proven and must be preserved. Social ID cards support enforcement, not just mobility, and mutual recognition of social ID cards must not weaken national controls. Interoperability is preferable to harmonisation; replacing existing schemes with the lowest common-denominator EU card would be counterproductive. Building on their joint SIDE-CIC project, EFBWW and FIEC recommend that the European Commission promotes efforts towards interoperability, in respecting the existing schemes and using a bottom up approach through financial and administrative support for pilot projects or bilateral agreements as well as technical assistance, so that systems are compatible with ongoing EU digitalisation efforts (like ESSPASS and the EU Digital Identity Wallet).

5. **Fair labour mobility for workers**

A potential Construction Services Act must ensure that posted workers can benefit from fair treatment and dignity. Posting should not be used as a loophole for bad faith actors to get around regulated professions, national OSH requirements or to evade liability. Particular attention must be paid to ensuring that they receive adequate OSH information and training in a language they understand. In this area, and with the objectives of simplification, digitalisation and fair mobility of posted workers, **FIEC and EFBWW call on the European legislators to conclude quickly the negotiations on the e-declaration in line with their joint position¹**, and to move faster on ESSPASS and the EU Digital Identity Wallet.

6. **A better cooperation between Paritarian Institutes**

Paritarian institutions² should be recognised as a best practice within the construction sector. **The Commission should work closely with, and encourage agreements between, employers, trade unions, and paritarian bodies across the EU.** This would help to promote their use, prevent issues related to 'double contributions', and strengthen cooperation among stakeholders.

¹ [EFBWW & FIEC Joint Position on the e-Declaration Proposal](#), 07.11.2025

² Managed both by employers and trade unions, they support workers and companies in managing occupational pensions, coordinating retirement schemes or offering vocational training among other.

7. **Simplification for SMEs must not lead to a lowering of standards**

When it comes to promoting cross-border construction services, it is imperative that any proposal which considers structures and resources for SMEs designed to simplify processes does not lead to unfair competition, a lowering of quality standards for consumers and working conditions for workers.

8. **Improve the attractiveness of the sector**

The aim of any proposed Construction Services Act must not only make the sector more productive and competitive, it must also make the sector more sustainable and attractive to potential new recruits and retain existing workers. Improving OSH standards and ensuring effective enforcement of existing rules are essential to making the sector more attractive, particularly for young workers.

Having analysed the consultation documents, EFBWW and FIEC do not see a clear added value in this initiative as it is considered now. On the contrary, there is a risk that it will affect well-functioning national OSH systems, high standards of regulated professions and existing enforcement mechanisms.

We would encourage the Commission to carefully assess whether further action is necessary. **The sectoral social partners insist that they must be fully informed and involved** if any further initiatives are considered by the European Commission.

The European Federation of Building and Woodworkers (EFBWW) is the European trade union federation representing workers in the construction, wood, forestry, and building materials sectors. Bringing together 77 affiliated unions across 36 countries, the EFBWW represents approximately 1.5 million members.

The European Construction Industry Federation (FIEC) represents the interests of construction enterprises across Europe. Through its 33 national member federations in 28 countries FIEC brings together companies of all sizes covering the full spectrum of building and civil engineering activities.